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# NPPA

NATIONAL PROBATION AND PAROLE ASSOCIATION

## *Journal*

### *In this Issue*

#### Reading and Delinquency

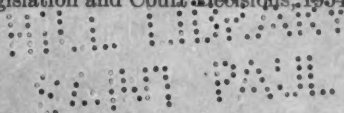
MELVIN ROMAN, JOSEPH B. MARGOLIN, and CARMI  
HARARI • HELEN J. GREENBLAT • HOWARD M. NEW-  
BURGER • GRACE P. SLOCUM • EDWARD J. and FRANCES  
W. BANDER

HERBERT A. BLOCH: Inadequacies of Research in Delinquency  
Causation

COVERLY FISCHER: Research and Evaluation

JOHN SCHAPPS: Annual Reports

SOL RUBIN: Legislation and Court Decisions, 1954



# NATIONAL PROBATION AND PAROLE ASSOCIATION

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# NPPA

NATIONAL PROBATION AND PAROLE ASSOCIATION

## Journal

Volume 1

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### Reading Retardation and Delinquency

MELVIN ROMAN, JOSEPH B. MARGOLIN, AND CARMİ HARARI\*

*Bureau of Mental Health Services, Court of Domestic Relations, New York City*

SOME time ago a survey conducted at the Treatment Clinic of the New York City Children's Court revealed that almost all of the children there manifested a reading retardation of two or more years. Very few had received anything resembling adequate educational evaluation prior to their referral to the clinic. Many of them could have been treated, perhaps more productively, in a nonauthoritative agency had the court been aware of the significance of their learning difficulties. Obviously it is poor practice to plan for the rehabilitation of school children without considering their specific educational needs.

Do children fail in reading because they are truant? Or are they truant because they cannot read? Why does the delinquent child resist the learning process?

\* Senior psychologist, research consultant, and chief psychologist, respectively.

Under the court's research program<sup>1</sup> established to deal specifically with the relationship between reading retardation and delinquency, it was found that 76 per cent of the children screened for educational problems were retarded at least two years in reading; for over half of this group, the disability amounted to five years or more. This contrasts significantly with the retardation figure for the elementary and high school population as a whole, as stated in a recent national survey by Traxler, who found that approximately 10 per cent of all pupils are retarded in reading. Noteworthy is the

<sup>1</sup> A phase of the Court Intake Project, a research demonstration program supported by private funds and directed by Harris B. Peck, M.D. and Molly Harrower, Ph.D. For other aspects of the Court Intake Project, see Harris B. Peck, M.D. and Morris Brick, "Integration of Mental Health and Probation Services," *Reappraising Crime Treatment* (1953 Yearbook, National Probation and Parole Association), pp. 106-123.

fact that none of the cases represented in our study originated in truancy petitions drawn directly by school authorities. One may safely say that analysis of truancy cases would reveal at least as high an incidence of reading retardation.

Indeed, in retracing the course of an individual's delinquent behavior, we frequently find a triad pattern: reading retardation, truancy, delinquency. This is not to suggest that failure in reading is the basic cause of delinquency. Many children with reading disabilities are not and never become delinquent; at the same time, reading disability is frequently the first signal of delinquency.

Is it merely an inconsequential coincidence that reading disability and delinquency occur together so frequently in a given population, or are they fundamentally related manifestations of a basic psychosocial pathology?

Let us take a typical case. Johnny, age fifteen, arrested for car theft and described as persistently troublesome at school, was found to be virtually a nonreader. On the basis of our psychological study and subsequent therapeutic interviews we could formulate his pattern of response to the demands of school.

Upon enrollment in the first grade, he was expected to adjust to a new and alien milieu in which the emphasis was on achievement through postponement of gratification. Johnny's behavior was normal for the low SE<sup>2</sup> culture from which he came, but it was not approved in this new environment, and, like many of his classmates in the slum school, he was labeled an "unmotivated," "unsocialized" problem child.

<sup>2</sup> Socio-economic status as measured by the Warner Scale.

### Reading Readiness

In order to make progress in reading, a child must have not only the ability but also the desire to learn to read. Lack of effort is probably as great a handicap as inferior ability; lack of motivation may enlarge comparatively minor obstacles to insuperable barriers.

It is unrealistic to expect a child to learn to read when he is not *ready* for this new skill. Failure is practically assured if he is confronted with the task when he is not in a state of *readiness* for it. That state or condition of readiness involves (1) his background experience, (2) his use of oral English, and (3) his interest in reading and reading material.

### Background Experience

Three kinds of experience relationships are basic to the development of adequate readiness: "thing experience"—toys, books, pictures, etc; "people experience"—relationships with peers and adults in structured activity situations; and "place experience"—trips and excursions outside the home community which would tend to broaden one's perception of the world. The availability and degree of such experiences are more or less fixed by the social and cultural status of the home. In the average middle-class school, the experientially deprived child is the exception rather than the rule; in the slum school, he is the rule rather than the exception.

The middle-class child has pre-school experience with arts and crafts, books, records, educational toys, trips, etc. In a middle-class school the readiness program serves to supplement an already existing experiential core based upon the parents' concern (sometimes overconcern) with the social and educational development of the child.

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The low SE child, however, lacks almost completely such pre-school experiences. Although for him the standard school program provides initial rather than supplementary experience, it is commonly regarded as adequate compensation for the deficits in pre-school experience. But if it is merely adequate for the middle-class child, it must be woefully inadequate for the child with an admittedly inferior experiential background to begin with.

### Language

Delinquent children have been described as essentially concrete-minded and action-oriented. Their behavior pattern reflects processes which seem to be directed outward rather than inward. This characteristic of delinquents is often recognized as significant from the mental health point of view, since frequently it indicates a striving toward a more relevant way of dealing with certain aspects of reality.

Concreteness and action are characteristic not only of delinquents but generally of children from low SE backgrounds. The environmental emphasis is on physical rather than verbal expression. Recognition is generally achieved through body rather than mind. The need to develop language skills (a complex and abstract process) is minimal. Thus one finds limited vocabularies and a general inability to relate via the nuances of verbal expression. If a foreign language is spoken in the home, inability to express oneself in English becomes all the more difficult.

Experience alone is not education. To be fruitful, it must be examined and understood, and thoughtful discussion is one way through which this may be done. In the early grades there is much emphasis on talking about things,

people, and places. For the middle-class child this is appropriate, meaningful, and gratifying; for the low SE child it is inappropriate and frustrating. He has neither developed the necessary tools nor had the necessary experiences. Consequently he is confronted with a task for which he is ill-equipped and which runs counter to his basic mode of dealing with life situations.

### Attitudes, Interest, Books

Attitudes toward reading are in large part conditioned by attitudes toward school and academic achievement.

The average low SE child is not motivated toward academic achievement and enters school with no understanding whatever of why play must be restricted and goals imposed. In contrast, the average middle-class child enters school with a need for success. He anticipates physical or emotional punishment for failure to achieve scholastically; the low SE child is rarely punished for academic failure and is frequently rewarded for it by peer groups. The degree of anxiety, guilt, or frustration attached to this behavior, therefore, is entirely different in the two cases. To the middle-class child social and emotional rewards accompany intellectual achievement; to the low SE child these same rewards are the result of physical achievement.

In the early grades reading is in many ways the symbol of school. One achieves by learning to read. Reading, per se, is of special importance to the middle-class child, family, and culture, but of little importance to lower social status culture. A good first-grade program, therefore, would gratify those who expect to like reading and want to read and would modify the

attitudes of those whose orientations to reading are negative or hostile.

Obviously the problem for the teacher working in a low SE school is enormously complex. She must develop positive attitudes in the children toward reading by showing concretely that language skills can be easily mastered and that reading can be pleasurable—a difficult enough task in itself—and she must do so while laboring under the handicap of the average first-grade reading text, the content of which is drawn from precisely those settings, characters, and experiences common to middle-class life and alien to the low SE child.

The stories in a typical pre-primer, primer, or first reader deal with a single family, consisting of father, mother, son, and daughter. Almost always they live in a one-family, well-furnished house in an upper middle-class, suburban community. They are well dressed and they have a car. The difference between this family and the average family in a low SE neighborhood is enormous. What is presented in these schoolbooks as a meaningful and familiar life situation is in no way related to the actual environmental setting in which the low SE child lives and learns.

But even if more appropriate materials could be devised, instruction cannot be limited to the area of reading. The teacher must understand and try to correct the negative values of the child and his mistaken self-concepts. Developing positive attitudes is the foundation and essence of good teaching.

The teacher in the slum school has a particularly frustrating job. Not only are her classes too large and her teaching materials poorly designed, but she herself is generally unable to understand or identify with low SE

children. The demoralization resulting from the overwhelming complexities of the setting and the general absence of "good pupils" forces the teacher, whose own needs for achievement are being frustrated, to concentrate on those children who are closest to her own middle-class attitudes and aspirations. Thus, recalling his early school experiences, Johnny stated, "The teacher didn't like me. She just wanted me to sit around and be quiet." In the main, it seemed as if his teacher repeated the pattern of his parents who, overwhelmed by their own needs, were unable to meet the needs of their child.

To Johnny, the school setting was restrictive and frustrating. He viewed his teacher as an authority who was unwilling to gratify his needs. Because of his lack of readiness the tasks she set for him were meaningless. The process of learning from books and the content of the books themselves, alien to his background and first-hand experiences, made it all the more difficult for him to adjust to this new world.

Viewing the imposition of the learning task as an act of aggression by an unfriendly authority, he reacted accordingly; the counterattack against teacher and task took the form of direct and overt resistance to the learning process. In contrast, the reading disability of the middle-class child<sup>3</sup> is very often a manifestation of passive rebellion or resistance to parental pressures for achievement.

The middle-class child states that he *wants* to learn, but confesses with guilt and anxiety that he *cannot*. The children in our study, however, stated that they could have learned if

<sup>3</sup> See P. Blanchard, "Psychoanalytic Contributions to the Problems of Reading Disabilities," *Psychoanalytic Study of the Child*, Vol. 2 (New York, International University Press, 1946).

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they had wanted but that they were essentially uninterested and therefore unwilling to make the effort. This, we recognize, cannot be taken at face value, for in large part it disguises the delinquent's way of resolving a conflict. Delinquent children, like Johnny, tend to externalize and act directly against the frustrating object. The low SE child with a reading disability directs his hostility primarily against his teacher and school; the middle-class child with a reading disability directs his hostility primarily against his parents.

Our case studies indicate that many a low SE child enters school with a characteristic lack of learning readiness and an equally characteristic readiness to discharge hostility against the teacher and the school when frustrated. By virtue of its content and process, the school confronts him with a new set of frustrating experiences which, in some ways, realistically confirm his already distorted picture of authority and precipitates the development of the characteristic syndrome: reading disability, truancy, delinquency.

We realized that to understand the relationship between delinquency and the learning process we would have to focus on two areas: the psychological and educational needs of the individual, and the psychosocially relevant aspects of the environment. We made an intensive study of twenty-one reading disability cases drawn from the Court Intake Project, in addition to data derived from the project population as a whole.

#### Relationship with Parents

We first examined the families and the milieu in which they live. Most of the families are in the most depressed socio-economic bracket and are con-

stantly concerned with the problem of survival. The majority of the parents are engaged in notoriously unstable and un lucrative occupations, with very little chance for advancement. Irregular employment and low social status leave indelible marks on their personality and temper.

To children in Johnny's world, parents are rigid and punitive. That world makes no concession to immaturity; children are expected to behave like adults even though they do not have adult prerogatives. The parent maintains discipline almost entirely by physical punishment. Emphasis on the physical pervades all communication. In the middle class, in contrast, discipline is supported by reasoning, and therefore communication tends to assume verbal and conceptual forms.

Our interviews with the parents showed that before being called to court they were either wholly neglectful or unconcerned with their children's educational achievement or were openly scornful of it. They place little value on academic achievement and exert little or no pressure on their children to attend school regularly. Johnny's father, for example, told the social worker that he was not aware his son was having trouble until he learned of the boy's arrest. Why the boy was causing so much trouble, he said, was something he could not understand. He exuded hostility, admitted no responsibility for his son's waywardness, excused his own mistakes, and demanded conformity to his will and instant attention to his own needs.

In most such families the mother is either a counterpart of the father or is completely dominated by him and treated as if she were one of the children. The essentially authoritarian atmosphere in the family determines



the child's attitude toward all authority.

In studying the content of the delinquent act of our subjects, we were immediately impressed by the hostile and rebellious quality of their aggressive behavior. Recent literature contains many references to the direct cause-and-effect relationship between deprivation in infancy and early childhood and subsequent hostility. The child regards his parents as omnipotent beings whose function is to provide for all his basic needs and whose ability to do so is unlimited. He then tends to construe any deprivation as hostility directed deliberately and personally against him, and so reacts with counterhostility.<sup>4</sup>

#### Peer Group Influence

His positive impulses frustrated or discouraged, the child seeks an out-group outlet for his aggression and hostility. He joins or is influenced by some gang or group of individuals of approximately his age. From this group he gains new ideas, standards, and values. As he matures, his role within the group modifies and supplements his role within the family.

The gang does not value scholastic success or vocational advancement; on the contrary, it rewards physical prowess, acts of bravado which challenge the authority of all groups other than the gang itself, and immediate attainment of materially oriented, nonintellectual goals. This set of prized values is maintained by group cohesiveness or identification with the leader. Several of the boys we interviewed admitted that their aversion

for reading grew out of their conviction that they would be regarded as "punks" by their gang associates if they demonstrated the slightest interest in scholastic achievement.

Our subjects demonstrated characteristically low frustration tolerance and high impulsivity. Their capacity for delaying immediate gratification is minimal. By contrast, the middle-class child has both the model and motivation for successful delay; he wins adult approval as a secondary gain for successful sublimation. The low socio-economic child realistically has little expectation of such a reward. Faced with deprivation and poverty, he must "get while the getting is good." Delay constitutes a threat rather than an avenue to gratification and approval.

It is commonly but erroneously assumed that delinquent children have a basic desire for success in school but, failing to achieve it, thereupon seek recognition through other channels. Describing the acting-out delinquency pattern as substitute behavior, which is the way it is generally explained, is a reflection of our own middle-class attitudes and bias. Actually, delinquent children generally do not value academic achievement and the so-called "acting out" is a direct expression of a need for achievement along lines that are to them socially necessary and feasible.

#### Summary and Conclusions

The configuration of forces affecting the low SE child is not conducive to learning in a school system with a middle-class orientation. Specifically, the low socio-economic child is handicapped by several factors in his efforts to learn to read:

1. He is deficient in pre-school reading experience.

<sup>4</sup> L. Bender, "The Genesis of Hostility in Children," *American Journal of Psychiatry* (October 1947); Harris B. Peck, M.D. and Virginia Bellsmith, *Treatment of the Delinquent Adolescent* (New York, Family Service Association of America, 1954).



2. Attitudinally he is unprepared for school living and learning.

3. His use of oral English is poor, and, because of the subcultural de-emphasis on verbal communication, his interest in language skills is minimal.

4. The books and materials used in the school system are essentially geared to the middle-class child and have little meaning to the child from an underprivileged background.

The processes we have described point to a set of conditions, relationships, pressures, and rewards which induce certain characteristics, attitudes, and role expectations in the child from the lowest socio-economic group. Many of our subjects have made an adjustment adequately geared to and appropriate for the subculture in which they are functioning. Only when they come into contact with a different set of values and a different set of demands on their behavior does conflict arise: they have adjusted to the values of one culture but are now expected to function smoothly in another for at least half their waking hours.

In the majority of our cases, we have concluded, conflict between lower socio-economic class culture and middle-class educational experience induces certain psychodynamic processes which tend to produce reading retardation and emotional disturbances.

What are the implications of our study for the community?

Approximately 7,500 of the children appearing in our court in any year are in need of specialized remedial help. Obviously, because of the number, the court itself cannot provide the specific curative treatment required, though it should certainly be able to detect such problems when they are present. The major responsibility for treatment rests with the schools.

Two aspects of the problem seem to require immediate attention:

1. Children with learning difficulties must be identified and aided long before their maladjustment in school results in a well-established pattern of truancy and subsequent delinquency.

2. The teacher-training colleges and the schools themselves must recognize that children from low socio-economic environments require teaching methods and materials different from those that are appropriate for middle-class children. We cannot expect them to learn in the same manner as middle-class children or with the same curriculum. If we are to prevent any further increase in the development of reading disability cases, we must of necessity improve the curriculum of the "slum school" so that it begins to orient itself realistically to the specific needs of the low SE child.

# "I Hate Reading!"

HELEN J. GREENBLAT

Vice-Principal, Roseville Avenue School, Newark, New Jersey\*

THE connection between reading difficulties and juvenile delinquency occurs with startling frequency. It is true that not *all* retarded readers suffer from emotional disturbances or come to grips with the law. But on the other hand, almost all delinquents read far below their mental capacity. Of 187 boys from 16 to 19 years of age in a New York State reformatory, *not one* could read as well as his mental age; over 90 per cent had been school failures.<sup>1</sup> In a study of reading achievement and related factors in a group of 143 maladjusted boys, Feinberg and Reed called attention to the coincidence of reading difficulty and delinquency.<sup>2</sup> Israel Heller, head teacher of the Essex County Parental School in Newark, estimates that of about 1,200 children admitted during 1954, at least 90 per cent had reading difficulties.

Authorities in the field of reading are accepting more and more the factor of emotional maladjustment as a prime cause of reading difficulty. As far back as 1930 psychiatry and psychoanalysis offered some specific ideas along this line. Strachey and Liss, for example,

maintained that oral fixations or inhibitions may interfere with an oral process such as reading.<sup>3</sup> On the basis of a clinical case study, Hamill suggested that fear of certain words may inhibit the learning of them; the emotional discharge may be so great that it spreads to affect the whole process of learning to read.<sup>4</sup> These latter theories are interesting. They would, I fear, give little help to the average teacher.

Unfortunately, less attention has been paid to the reverse side of the problem, the side in which I am primarily interested. That is: To what extent does reading retardation cause or aggravate feelings of inadequacy in the child?

## Attitudes toward the Nonreader

At the very beginning of his school career, the new pupil is grouped according to his reading performance. Then and there, if his score is poor, the stigma becomes attached. Whether the groups be called "Bluebirds and Robins" or "Yankees and Dodgers," it takes very little time for the children to find out who the slower learners

\* At the time this article was written Miss Greenblat was a teacher in a Newark elementary school.

<sup>1</sup> P. Frederick and G. Bond, "Delinquency and Reading," *Journal of Genetic Psychology*, Vol. 48 (1936), pp. 236-243.

<sup>2</sup> Henry Feinberg and Clyde L. Reed, "Reading Level of a Group of Socially Maladjusted Boys," *Journal of Social Psychology*, Vol. 12 (August 1940), pp. 31-38.

<sup>3</sup> James Strachey, "Some Unconscious Factors in Reading," *International Journal of Psychoanalysis* (1930), pp. 93-98; E. Liss, "Libidinal Fixations as Pedagogic Determinants," *American Journal of Orthopsychiatry*, Vol. 5 (1935), pp. 126-131.

<sup>4</sup> R. C. Hamill, "Emotional Factors in Mental Retardation—A Reading Problem," *Archive for Neurology and Psychiatry*, Vol. 36 (1936), pp. 1049-1069.

are and to dramatize the discovery by such endearing epithets as "Dope" or "Lamebrain" (both of which I've heard used on the playground by little first-graders). In many systems, promotion in the lower grades is based solely on reading achievement. As a result, the slow reader soon becomes a "creature apart." As he grows older, reading becomes a prerequisite for an increasing number of subjects in the curriculum. Even the so-called "intelligence" tests require reading ability. Thus, the slow reader is placed at an ever increasing disadvantage and is set farther away from his fellows. On the rare occasions when he is called on, he reads hesitatingly and in an agony of embarrassment. Often he is reprimanded by the teacher for his inadequate performance. As Foshay points out in a study of children's attitudes,<sup>5</sup> the child's belief in his own worth is heavily influenced by the teacher's expressed evaluation of that worth. His acceptance by his classmates is also influenced by the teacher's apparent acceptance of him. Foshay also learned that the teacher gives the child prestige when she calls on him. Moreover, even though the child may rebel against it, he tends to believe what the teacher says about him. In view of these facts, it would indeed be strange if the poor reader did not develop "problem" behavior in the classroom and truancy and antisocial behavior outside the school. In this connection, it is interesting to note a statement in a newspaper article dealing with the rise of school vandalism: "Youngsters commit acts of vandalism because they harbor rancor and bitterness toward school personnel and the community . . . and take out their hates through

physical destruction. Some try to impress the 'gang' by committing illicit acts."<sup>6</sup>

Once they begin to talk freely, such children reveal that they are acutely aware of their reading inadequacy and are bitterly resentful of the average teacher's attitude toward such "weakness." They resent, too, the comparative success of their classmates. All this animosity gives rise to the oft-heard cry, "*I hate reading!*" Such emotion naturally blocks the learning process. When the boy "hates" the sight of print, no amount of stereotyped "remedial reading" assistance (e.g., formal phonic training or use of mechanical devices to increase eye span) will help. Treatment should consist rather of lessening the pent-up aggression and hostility and building up the crushed feeling of self-confidence. Along with this, I try to stimulate interest in reading by dealing with such topics as the child himself suggests. All this is based on the personal rapport between us. If he does not trust me—if he does not feel that I am "with" him and "for" him—no progress will be made. Often, but only when he does feel that we are working together, he begins to read in spite of himself.

### Case 1—Fire Extinguishers

Kenneth is a case in point. He was fifteen years old when he was referred to me, and was in the graduating class, but he had little chance of receiving a diploma with his fellows. His record had been poor throughout school, with frequent retardations. He had been a habitual truant for years and, when forced to attend, was a disruptive element in the classroom, so that he became a frequent visitor to the principal's office. Kenneth's parents

<sup>5</sup> Arthur W. Foshay et al., *Children's Social Values* (Teachers' College Bureau of Publications, Columbia University, 1954).

<sup>6</sup> *New York Times*, December 30, 1951.

were separated; his father seemed to have little or no interest in his welfare, and his mother was a nervous, fluttery woman who wept copiously and sighed that she just couldn't understand this only child of hers, to whom she had been so good, who was now disgracing her, etc. Kenneth sat through these outbursts silently, evincing nothing but boredom. Eventually, his behavior brought him under the care of a social agency. There one day he exclaimed, "I don't want to go to school. I've never been able to read as good as the others!"

The social worker felt it was of the utmost importance that Kenneth graduate, if that were at all possible. All attempts by his teachers to give him "remedial assistance" via the usual phonic methods not only had failed, but had increased his hostility and resistance to learning. Hence, after conferences between the social worker, Kenneth's teacher, and his principal, he was brought to me for "remedial reading with a psychiatric slant" (whatever *that* may mean). Kenneth's father agreed to pay for my services only after he had been warned that his son was probably headed for jail unless his attitudes and behavior could be changed for the better.

For our first session, Kenneth presented himself ten minutes late, muttering something about "taking the wrong bus." He was a tall lad, with the beginnings of a blond beard that contrasted with a soft, pursed, babyish mouth. He was carelessly dressed, no tie, hair tousled. At first, he was most uncommunicative. I'd get a short "Yup" or "Nope" (mostly "Nope") in response to my efforts to engage him in conversation. It ran something like this:

Did he have any hobbies?

Nope.

Any friends at school?

Nope.

Outside school?

Nope.

How come?

Aw, they were only "kids" who were interested in football and baseball.

And he, did he like sports?

Nope.

How about the older boys in the neighborhood?

Aw, they were always chasing after girls. He didn't like girls.

Anything about school he liked, such as gym or shop? Any teacher he'd liked?

Nope.

Well, when he was truant from school, what did he like to do? (There was a long pause before the next answer; he apparently was deciding whether or not to trust me.)

If he felt the firemen wouldn't "squeal" on him, he liked to look around the fire house.

What did he like, the engines?

Nope, the pump and hose. But most of all, the fire extinguishers. (He said this with a smile, the first expression of animation during the interview.)

Here was the jumping-off place. I readily admitted my ignorance about fire extinguishers and at my suggestion he drew an excellent diagram of one. Under his guidance, I printed labels for the various parts as he named them—and Kenneth was reading! At the end of that first session, I asked whether he'd like to take the diagram along to show his teacher. Oh, no, he said bitterly, she wasn't interested in him.

From then on, we discussed different types of extinguishers, collected pictures and advertisements of them, etc. Kenneth knew a surprising amount about fire extinguishers. (Since he still suffered from enuresis, his preoccupation with this topic was understand-

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able.) We progressed to stories, which I wrote at Kenneth's dictation. He was soon reading his own stories fluently and was getting good vocabulary training through "polishing" them by substituting words and phrases. Next, I introduced whatever material I could locate in books or workbooks which were on his level and which would interest him. I also presented some phonics for attacking new words.

Not the entire hour was spent on reading itself, for the personality angle was of even more importance. Although it was not possible for me to do any deep therapy—which was not my role anyhow—it was important to help him over the bumps. At the beginning of each hour I inquired quite casually how school had gone. I encouraged him to discuss any problems that bothered him and to air his grievances. I tried to show him that all of us were concerned with his welfare: his social worker, his teacher (struggling with thirty-nine other pupils), his principal, his parents (in their fashion), and of course I myself.

In the beginning, Kenneth's attendance was spotty and his mother would phone to sob that she couldn't get him to go. However, I fanned every spark of confidence that I could engender and as his interest and feeling of accomplishment grew, he came regularly, even in snowy weather. His appearance improved and his mother happily told me that he "spruced up" when he was to come to me. His truancy stopped, and he was graduated with his classmates. I attended the graduation exercises at Kenneth's own request, and quite a handsome lad he was as he stepped up proudly to receive his diploma. He planned to go on to vocational high school for machine shop training (probably to manufacture fire extinguishers!).

## Case 2—An Interest in Animals

By the time Norman was ten years old he had acquired a thick dossier at the private social agency which referred him to me. His parents worked long hours at the small grocery shop they owned, so that Norman and his sister (two years his junior) were on their own much of the time. His mother often requested him to "keep an eye on your sister," an admonition he both resented and ignored. Economic pressure, the parents said, had prevented them from completing elementary school, and they dreamed of a professional career for both children, but especially for the son—accountancy, perhaps; they might even consider medicine or law. The girl was doing a fine job at school and her teachers loved her. The beaming faces of both parents told of their adoration for this younger child. Not so with Norman. They were puzzled and angered by his refusal to accept the learning they so admired. "And," said the mother, "the more we try to make him read, the worse he acts!" She went on to state frankly that she had never been able to control him, nor was the father more successful.

From the time he could walk, Norman had been able to open locks with ease. Hence, nothing was safe. He broke into the storage bins of his apartment house and stole or simply wrecked their contents. He was rude and displayed a fierce temper both at home and in school. He was well known in the neighborhood, and the father complained that he was tired of paying for property damaged or stolen by his son.

At ten years of age, Norman was in the third grade (retarded over a year) and about to be left back again. He was allowed to remain enrolled in school only through the intervention of the social worker, who urged the



teacher and the principal to "hold on," promising that improvement would be forthcoming. Norman's teacher told me that he did no work of any kind in class, that he was unable to read even a primer. He sat apart from the others, making rude noises and comments during lessons. He roamed about the classroom and building and a number of times had been pulled out by force from the boiler room and storage bins in the sub-basement. His sister was to be promoted to the third grade. If Norman were left back (and there seemed little likelihood of any other possibility) the two would be in the same room. Everyone realized how difficult that situation would be, so it was up to me to get him promoted.

Norman came bounding in on his first visit and proceeded to rush from place to place in the room, examining everything in sight and at the same time hurling a barrage of questions at me. He was thin and undersized for his age, altogether not very attractive. His eyes roamed restlessly, seldom stopping to focus on one object. He disliked going to the barber, so his untidy hair kept falling into his eyes. He came well fortified with a pocketful of gum and candy, which he proceeded to chew defiantly and noisily, with much lip-smacking and drooling. It was necessary to supply him with tissues and to remind him frequently to wipe his nose.

He displayed great curiosity about my personal life: Was I married? Who else lived in my home? How did I spend my evenings? Trying to direct the conversation back to him and to find a beginning point for our work was like trying to hold water in your hand. He was hyperactive; it was apparently quite impossible for him to sit still for more than a minute or two.

He soon hopped off the chair and announced he was going to the bathroom. After a sufficient interval had elapsed, I had to tap on the door to get him to return. A few minutes later, he dashed off to the kitchen in search of a drink. There he spied a litter of kittens—and that stopped him! He fondled them, he cooed over them, he fed them milk. His manner was surprisingly tender. The rest of that session was spent with both of us sitting on the kitchen floor. It developed that Norman had always yearned for a pet but his parents insisted that their lease forbade it. He was always bringing home stray cats and dogs which his mother would not allow in the house. Then came a torrent of resentment against his parents, against the preference shown his sister; on and on it went. Finally, when it was time to leave, Norman insisted on my promise that the kittens would be available on his next visit.

Had any "remedial work" been done during this first visit? No, not in the strict sense of the term. But tremendous strides had been taken toward making reading *possible*.

On each subsequent visit, Norman tore through the house to see his beloved kittens. He found names for them and after great conflict finally selected "Whitey" as his favorite. Our reading began with a story about "Whitey" which Norman dictated as he held her. It was quite a revealing tale about a kitten who was his mother's favorite, was the smartest of the lot, and incurred the envy of his brothers and sisters who played all sorts of jokes on him.

Lured by the kittens, Norman kept his appointments faithfully and his reading improved greatly. He was intensely interested in all kinds of pet and animal stories, which gave us a wide range of materials. We composed

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our own stories, too, and his reading vocabulary grew rapidly. Along with this, I tried to help him cope with his hostility toward his sister, his parents, his teacher, his classmates. He hated so many people so intensely! I typed his stories and sent copies to his mother and teacher. Both were amazed. The mother did suggest that perhaps I had wasted too much time on "animals and just talking." However, she did have to admit that the reading improvement was obvious.

The carry-over to school, unfortunately, was slight. After spending a year with him, Norman's teacher could hardly disguise her animosity. And he knew her vulnerable spots too well! Limited by the demands of the other children in the room, she was unable to devote to Norman as much individual attention as he still needed. He complained about her attitude and about the fact that she didn't allow him to read material that interested him. The teacher did admit that Norman was now doing *some* reading and was doing considerable less roaming about the room and school.

On the strength of my reports showing increasing power, plus the pleading of the social worker, plus the fact that the teacher was very glad to be rid of him, he was promoted to the next grade. He did not return to me after the summer vacation, since his parents were unwilling to spend more money than was "necessary to get him promoted." They felt he should now be able to go on by himself. Although both the social worker and I felt he needed additional special help to bring him up to grade level, I was unable at this point to do more than acquaint his new teacher with what had been done, describe Norman's major interest in animals, and suggest that she follow the same pattern insofar as possible.

### Case 3—Colonial Punishment

Frank was encountered in one of my fifth-grade classes. He came to me with the oft-repeated syndrome: truancy, retardation, temper outbursts, boredom, fights, and hatred of reading.

He was one of a large family living in a wretched, filthy tenement in a slum area. Both parents were illiterate and spoke no English. The mother, a huge slovenly creature who seldom emerged from the house, offered no cooperation at all. The father rode around in a wretched wagon pulled by an equally miserable horse and salvaged paper and bits of scrap from garbage cans. For picking up other things as well he had served several jail sentences, as had Frank's older brothers; and they expected Frank as a matter of course to follow in their footsteps. He had already been in juvenile court for bicycle stealing, for breaking into gas stations and small stores, and for similar offenses.

On the days he wasn't truant, Frank would stroll into school late and spend the rest of the day slumped in his seat, refusing to participate in any school activity. Often he slept in class. One day, during a discussion of colonial life, Frank suddenly came to life and displayed extraordinary interest in various forms of colonial punishment. With my encouragement and help, he built a miniature colonial village with cabins and, of course, stocks, pillory, and ducking stool. We consulted reference books for help on details and Frank began to see *something* in reading. From that day on his work in all areas improved greatly. It was one of those casebook recoveries. He came to school regularly, he cleaned up, he smiled and flowered. At the end of the term I

was able to recommend him for promotion. Unfortunately, he was assigned to a rigid teacher who maintained a severely formal room and Frank's troubles began anew, the truancy and fighting worse than ever. He was literally dragged in one day by the principal, who inquired, "Whatever did *you* do with him when he had these temper tantrums?"

"He never had temper tantrums in my room."

"Well," exploded my superior, "he just told *me* where to go!"

I suggested that Frank be permitted to come to me whenever he wished, to avoid any such explosions. This idea was vetoed by his teacher, who felt that the privilege would pamper the boy. Shortly afterward he was transferred to another school as a disciplinary measure.

A few years later, I saw Frank's name in the newspapers. He and three other boys had driven to another state in a stolen car, taking a fifteen-year-old girl with them. They had been picked up by the police after a minor accident. This was only one of a series of contacts with the law and his prognosis seemed poor.

Just a short time ago Frank visited me at school, proudly wearing an air force uniform. He had received training in airplane maintenance and was about to be shipped overseas. The seriousness of this had matured him. He made a speech to the children in my class, sternly advising them to behave and take advantage of their opportunities for learning. He spoke warmly and in detail of his experiences in my fifth-grade class. Evidently his beginning to read with me had made a deep impression on him. Before he left he spoke of his plans to settle down as a mechanic once his army duty was over.

### Interest and Rapport

I have cited these examples to show how reading assistance may prove an important factor in the therapy of such boys. In all three cases, truancy, the fellow-traveler of delinquency, cleared up as reading power increased. In all three cases, the boys were saved from expulsion from school. Whether the "Open sesame!" be fire extinguishers, or kittens, or colonial pillories, *some* real interest must be discovered as an entering wedge to break down the resistance to reading. Along with this, there must be a feeling of rapport that will enable the teacher to cope with the emotions behind the hatred of the reading process. Once interest has been achieved and self-confidence has been fostered, more formal work may be cautiously introduced. The use of formal devices alone cannot succeed in cases like the above.

A government pamphlet on juvenile delinquency states, "The school is being recognized as one of the key agencies in the prevention of delinquency. It is the school's responsibility to make certain its program of handling children is not causing delinquent behavior. No matter who or what he is, every child has a right to have a happy school experience and one in which he can achieve success."<sup>7</sup> It is my belief that if cases of reading difficulty and reading hatred could be helped early in the school career, children *would* have happier school experiences. Further, were this so, many serious behavior aberrations and delinquency cases would be avoided.

<sup>7</sup> "Report on School and Teacher Responsibilities," *National Conference on Prevention and Control of Juvenile Delinquency* (U. S. Department of Justice, Government Printing Office, 1947).

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# A Case of Reading Disability

HOWARD M. NEWBURGER

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THE subject for this study, which is concerned with determining whether there is any relationship between reading disability and juvenile delinquency, was Richard D., an intelligent Negro lad. At the time of initial investigation, he was nineteen years old and was serving a sentence at Annandale Farms, a New Jersey reformatory, for carrying concealed weapons. This report was written after four years of contact with him and a follow-up investigation.

The story really began about fifty-eight years ago in the impoverished home in Georgia where Richard's father was born and raised. He never went to school; he began working at an age when most children begin learning to read and write. Dissatisfied with the menial tasks he was forced to accept, he moved about restlessly from one job to the other. When he was eighteen he was forced to marry a fourteen-year-old girl, having made her pregnant. Despite its inauspicious beginning, the marriage gave him some measure of stability and satisfaction. He obtained a job and kept it for ten years, until he was stricken with diabetes.

Unable to work, and stimulated by his neighbors' glowing accounts of life in the North, he left Georgia with his wife and son. Eventually he settled in Newark, New Jersey. The small stipend he received from the state welfare division because of his poor health relieved neither his dis-

content nor his indebtedness, and he gradually put on a great deal of weight, which worsened the diabetic condition. Outside activity closed to him, he turned his thoughts inward, hoping to find solace there and the solutions to his problems. However, his inner reserves were lacking in richness and variety because he had never learned to read.

Unable to withstand the severity of his conflicts and anxieties alone, he sought help from his minister, who advised him to learn to read and offered his assistance. Armed with the Bible, and with minimum help from his pastor, he learned to convert the apparently meaningless symbols into words and finally into meaning. At last he had found a window with a view to the outside world. But it was only one window and the view, though panoramic, was unchanging. From this one window he looked upon the mystery of God's ways and believed he could interpret them. He adopted God's ways as his ways. Inspired by his renascence, he founded a small church and dedicated himself to its work. After all, didn't Christ go into the mountains for meditation, and Mohammed into the desert? And didn't Buddha sit under the Bo tree for seven days? It is not difficult to understand the effect this outlook would have upon a man of limited and singular education.

Because his congregation was small, he was still dependent upon home

relief for the major portion of his support. As his flock grew, so did the number of applicants for relief in his own family. Another son—Richard—and two daughters were born. Although the relief allotment was increased, the rent came due with frightening regularity on the store which served as both church and home. In contrast to the husband's efforts to prepare a better life in the hereafter, the wife responded to the demands of present reality. She went to work as a domestic in order to supplement the meager state allowance.

Literally from the day of his birth, Richard was especially important to his father—simply because he was the child first born after the great discovery of learning how to read. Mr. D. grasped the chance to mold his own image from the amorphous clay of the newborn. Richard was going to have the opportunities in life that he himself had missed.

### Reading Readiness

When the child was three months old Mr. D. went to the principal of the local school and asked for guidance that would help prepare his son for school and help him to read. The principal, a wise man, suggested that the father postpone instruction in reading until his son reached school age and suggested that the child be provided with a broad experiential background and warmth within the home so that he might better profit from his future experiences in school. Mr. D. accepted this advice and threw himself into the task with a vengeance. Richard was taken everywhere. There was no museum, park, farm, factory, monument, fire house, police station, electric generating company, etc., that Richard did not visit and re-

visit many times before he started school at the age of five.

### Little Emotional Warmth

Richard's father was less successful when it came to emotional warmth. With his subjective interpretation of God as a vindictive and vengeful power, he became a rigid disciplinarian and frequently whipped the children when they were disobedient. He was unable to differentiate between normal attempts to gain independence and true rebellion against parental authority. Both were construed as rebellion and dealt with as such. His interpretation of love was limited to a narrow concept of training which would instill his children—Richard particularly—with respect for authority, obligation, and duty. Occasionally he would recognize that he had made a mistake in handling Richard and would apologize to him—but would then proceed to make capital of his magnanimity. For example, Richard particularly enjoyed listening to singers of Western ballads on the radio. One day his father interrupted him in the middle of one of his favorite songs and insisted that he go immediately into the kitchen and help his mother do the dishes. Richard's reluctance was entirely understandable. However, with the admonition communicated by Deuteronomy to have the wicked lie upon the ground and suffer forty lashes, Richard was summarily dealt with for his disobedience. Perhaps to quiet Richard's sobs, the father admitted that he was wrong and continued to reassure him until the dishes were finished. However, with a recurring wave of self-justification, Mr. D. explained to his young son that after all he had only punished him for his own good and wasn't

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Richard ashamed of himself when he considered how much his father had done for him.

When the first day of school arrived, Richard was sent off with sharpened pencil, copybook, and briefcase to participate in the new world for which he had been so intensively prepared since birth. He was personable and ingratiating and seemed to make a good adjustment to his classmates. His veneer of compliance, shining from the labor of the six years of rigid training by his father, was immediately captivating to the overburdened teacher who had to struggle to maintain order as well as instruct her unruly pupils in the three R's. Richard did not require close supervision in the classroom—he liked to draw and was content to do so all day if allowed—but he participated in group work and he was also active in the after-school programs. He was always held up as a good example to the others in his class, and he was always exhibited as a model pupil to visitors.

### Effect of Retardation

Richard continued to participate in his reading readiness activity and to gain the broad experiential background designed to help him later in manipulating words and ideas. But somehow he did not learn to read. At first his neat appearance and ingratiating ways helped him to get along but after a while these attributes lost their power as passports to promotion. At age eleven he was still unable to read and had been left back several times. His participation in extracurricular activities declined markedly. His large stature further emphasized the contrast between him and his classmates. He became an object of derision. His superficial and

ingratiating manner did little to help the situation. With customary childhood cruelty his erstwhile friends labelled him "Big Stupe."

In view of the bargain he had made with the world—his compliance and superficially obedient manner in exchange for protection and approval by adults—he was seriously shaken when he began to meet with daily rejection. It was inevitable that such a child would then build a strong defense of withdrawal in order to avoid painful experiences. Frequent letters to his father from the school authorities were of no avail. Although he was punished frequently and severely for his crimes of omission and commission at school (and doubtlessly impetus was lent to the strap by his failure to read), he continued to be a problem at home and in school.

At age thirteen Richard was charged with truancy. He was sent to the Parental Home for one week and then placed on probation. One day about a year later the teacher called upon him to read aloud and he replied that he did not care to because he was preoccupied with his drawing. He was brought to juvenile court, charged with incorrigibility, and was again placed on probation. At home the beatings continued for his failure to read, which his father construed—correctly—as an act of rebellion against him.

Six months later Richard was sent to a state institution for a period of classification and study. The various intelligence tests that he took during his short stay produced scores ranging from 64 (mentally retarded) to 117 (bright normal). (The discrepancy can be explained by the varying degrees of reading skill required in these tests; in those requiring less reading he gave a better performance.)



In the absence of overt delinquency he was soon discharged from the institution and was again put on probation. He was placed in an ungraded class, where special methods and materials were used for slow learners, but this, too, was of no avail. He still did not learn to read. When he left school at seventeen, the age when the law could not compel him to stay, he had not yet learned to read.

### Family Breakup

It was at this time that a rapid succession of personal tragedies destroyed the family. Richard's brother was drowned; one sister, already in an advanced state of tuberculosis, was committed to a sanitarium; the other sister, rebelling against her father's unbending interpretation of divine rule, moved out of the "house of God" and into a house of assignation in New York. Against these odds Richard's mother gave up the struggle and went back to Georgia. (Still the five-room apartment, which the increasing congregation supported, was kept immaculate. Some of the female members of the church found the vacancy left by the wife an attractive one and shared her functions among them.)

To Richard the difference between the "standards" that had been established in his home and the realities of his environment became greater every day. He gravitated toward those people who maintained themselves on the periphery of law-abiding society—errand runners at the local saloons and the operators of the local poolrooms and baseball pools. Here he found complete acceptance. He soon realized that alcohol could help him forget his inadequacies. His work record was sporadic and whatever

money he earned was spent on liquor, pool, and dice.

In keeping with the style of his associates in the notoriously tough Third Ward of Newark, he provided himself with a highly polished switchblade knife. The newspapers were carrying more stories than ever before about the increase of youth crime and the great number of charges of "carrying concealed weapons." Whether Richard was indifferent to or dimly aware of this rise in community temperature is not clearly established. At any rate one evening, at the mayor's order, the hangouts and dives were raided and those who were caught there were searched. A switchblade knife was found on Richard and he was again charged with delinquency and again placed on probation.

For the next two years, he maintained himself precariously. His steadily growing conviction of personal inadequacy resulted in his taking further steps toward his own "protection" against nebulous and only dimly perceived dangers. He began to carry a gun. Another routine check by the police resulted in his arrest on a charge of carrying concealed weapons. This time he was committed to Annandale Farms, a state reformatory.

### Help at the Reformatory

There he was a model inmate. His comprehension of the institutional environment was excellent, and his ability to assume a pattern of conformity (institutionalization) resulted in early promotion to the honor cottage.

Despite his natural intelligence, his reading disability placed him in a class of illiterates. On the standard academic achievement test, he made a score that placed him on the level of

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the third grade. Other examinations showed that his intelligence was within the normal range. However, it was apparent that such tests were not an adequate representation of Richard's potentialities since he couldn't succeed in particular test items that called for reading ability, which, according to the diagnostic reading tests, was at the second grade level. Even at that, his sight vocabulary was extremely low and he had many bad reading habits that further complicated his problem. But his comprehension of the little that he was able to read was excellent, and neurological examination gave no evidence of nerve or brain damage. The reading disability appeared to be due to a combination of functional disorders aided and abetted by years of bad reading habits.

As he began to show a special interest in learning, particularly in reading, a combined program of remedial reading and psychotherapy was initiated. The remedial reading, which he had previously been exposed to in public school, was undertaken again in order to satisfy his demands for direct attention to the reading problem. The objective of the psychotherapy was to develop his potentialities and further help him to cope with the realities of his life situation. In the course of the psy-

chotherapeutic investigation he was able to gain some insight into the dynamics of his reaction to his father's self-righteousness and lack of warmth. A dramatic note was struck during therapy one day when Richard burst into tears upon realizing that he had wasted so much of his time and potential abilities in "getting even" with his father. However, the path to independence and maturity is not that easily won. A period of working through his new insights followed. Significantly, his remedial reading teacher, who prior to this had reported little or no progress, noted a gain of several grades in his reading level without change in the *methodology of the remedial reading measures*.

Richard's gains in maturity and self-respect kept pace with the improvement in his reading ability. He was paroled after sixty hours of psychotherapy with a favorable prognosis.

This writer encountered Richard several months ago, shortly after his release on parole. Richard had secured a job that was satisfying to him and was striving for advancement. Although some general and superficial improvement was noted in his emotional growth and development, it is not possible at this time to make a conclusive summary of specific degrees of his self-awareness and maturity.

# Books for Probationers

## A Court-Library Project

GRACE P. SLOCUM

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ON the afternoon of September 21, 1953, an atmosphere of unusual excitement and mild confusion prevailed in the waiting room of the Kings County Court probation department. Librarians, probationers, and probation officers were unpacking hundreds of books, placing them on special shelves, and rearranging furniture, including a number of newly acquired pieces. A few hours later the first lending library for probationers in that court—perhaps in any court—was open for business.

Bibliotherapy—the use of books as a curative or remedial aid—is a fairly recent development. To date, it has been used almost entirely in hospital service, especially in veterans hospitals, though some outstanding work on it is being carried out in psychiatric wards of state mental hospitals. Little or nothing has been done in the way of a controlled study of bibliotherapy in courts and probation departments. The book service offered by many public libraries to jails, detention centers, and children's shelters is generally limited to a machinery set up for borrowing and returning; all too often it lacks the important adjunct of a skilled librarian working closely with the officers in charge. We hoped that the Kings County Court-Brooklyn Public Library project would grow into a controlled study whereby we could (1) determine the effectiveness of librarian service in the probation setting, and (2) develop techniques

suitable not only for the Brooklyn court but for situations in other courts as well.

The library project idea was conceived by Sol Tropp, the probation department's Director of Special Services. In an effort to improve the appearance of the waiting room, he had borrowed framed pictures from the Brooklyn Museum and hung them on the walls. He had also made arrangements for a news distributor to provide magazines for probationers as they waited for their interviews. Paperback books had been solicited, and when these began to arrive the public library's assistance was requested, since the probation staff felt that a trained librarian would know how to make the most effective use of these and other book materials. The library was immediately interested, but was not able to offer staff service at that time. However, six librarians were interested enough to volunteer their time for a six-months experiment to see whether library service could make a positive contribution to the rehabilitation work of the court. Each would work one night every other week, thus covering Monday, Tuesday, and Thursday evenings when the probation office was open. (Unfortunately, afternoon service could not be given.) If this experience proved worthwhile, we would search for ways to give full service, leading ultimately to a real study in bibliotherapy. And so the project was undertaken.

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### Project Goals

Prior to the opening day Mr. Tropp, Edmond FitzGerald (the Chief Probation Officer), and I had a meeting in which we formulated project goals and mapped out procedures. We agreed that books could help a probationer to (1) develop new sets of values; (2) broaden his interests and use his leisure time more constructively; (3) explore educational and vocational opportunities; and (4) take a needed step in becoming an active member of a community institution, a neighborhood branch library, by acquainting him with its manifold service. Most important of all, the presence of the books and a friendly librarian would, we felt, promote a more pleasant and friendly atmosphere during the pre-interview period and would reduce the usual waiting-room tension.

The librarians and probation officers who would be involved in the experiment were made aware of these goals and of what they might do to help achieve them.

### Materials

Books of several kinds were needed in addition to the gift pocketbooks, and the library agreed to purchase a special collection of approximately two hundred titles, drawing upon the whole library collection for other books as requested. We started with the following types of materials:

1. Picture books, such as *Life's Picture History of World War II* and *Life's Picture History of Western Man*; cartoon books and books about cartooning.

2. Books on sports, both fiction and nonfiction, war novels and romances, science fiction tales, and biographies. (Books of simple vocabulary and sentence structure were sought, for many of the probationers were limited in

their education and in their general reading ability.)

3. Spanish-language books and books on learning English from Spanish. (A large number of those who would be using the collection were Spanish-speaking Puerto Ricans.)

4. Current popular magazines. (Subscriptions to several were taken; we wanted to avoid the castoff appearance of second-hand issues.)

The Public Library supplied a special, dual function bookcase, with regular shelves for hard-cover books and smaller shelves for pocketbooks. The waiting room furniture—benches previously arranged in a long depressing line—was shifted around to create a more informal appearance. A local furniture store contributed coffee tables and ash trays. Yes, ash trays. "Smoking allowed" is an uncommon permission in libraries, but this was, after all, an uncommon library.

### Getting Started

A number of probationers were in the waiting room at the time the books first arrived and a few of them helped us open the boxes and shift the furniture. From the very beginning it was evident that some were immediately and wholeheartedly interested and cooperative, but that many others would hold back, unwilling to participate until they knew what the "angles" of this new setup were. Most were quite skeptical, and understandably so, for we ourselves had no way of knowing what the outcome of the venture would be.

We needed an "icebreaker" to combat this skepticism and Mr. Tropp found one by way of free tickets to television shows. These were given out by the librarians to probationers interested in going. When the demand increased we extended the service to

include passes to the Empire State Building Observatory and to a fine arts movie house. Discount tickets for Broadway shows were made available through a Sports and Play Club plan. One man who had never before been to a legitimate theater enjoyed *Sabrina Fair* so much that he freely admitted planning to see other plays on his own.

All of this provided a natural means for starting a conversation, and a noticeable difference began taking place in the atmosphere of the waiting room. Many who before had sat staring sullenly into space were now talking with the librarian or looking at books and magazines and in many cases really reading. The probation officers noticed that men reporting to them were acting in a more gentlemanly manner and with more dignity. The whole tone of the room and of the conversations seemed to have changed for the better. Certainly there was now less tension in the room than before. Officers reported that their conferences with probationers were more satisfactory, and we felt that this was a direct outcome of the change in the atmosphere of the waiting room.

### Probationer-Officer Relationship

The librarians quickly learned to be good listeners, and though they were careful not to betray a confidence, they did transmit to the officers any information they thought significant. For example, there was the case of the young man who was interested enough in a picture on the wall to ask the librarian the artist's name. She did not know, but she stood on a chair and lifted the picture in question to see the museum label on the back. This led him on to talk about his older brother, an intelligent person who was an avid reader and who had quite a collection of books on art as

well as on other subjects. The obvious admiration the probationer had for his brother was so interesting to the librarian that she mentioned it later to his officer. It proved to be a point of considerable importance, for the young man had never mentioned his brother at all in previous interviews with the officer.

In another instance an older man who had taken out several books on drawing returned them late, with the explanation that he and his children had had such fun drawing from the books that he had kept them overtime. The librarian was able to get from him a very good picture of his home life and of his warm and close relationship with his children. This had not been evident before and it helped the probation officer to gain a better understanding of his client.

### Reading Habits

When such friendly feelings are established the introduction of books follows more easily. The small collection of two hundred books was soon found to be inadequate, not so much in quantity as in selection. Books on automobile mechanics, airplane design, and home carpentry were in great demand, and less need was found for books with simple vocabulary but uninteresting subject matter. A complete set of blueprints and building plans was gathered for one man who wanted to build a small house out of the city. To get them as quickly as possible he picked them up at the branch library near his home; he said that he didn't want to wait until his next reporting night at the probation office. He had never realized before that such information could be secured from the public library.

Though practical information manuals were most often requested, books

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of creative writing were also read and enjoyed. Novels such as *The Caine Mutiny*, *The Cruel Sea*, and *From Here to Eternity* were borrowed most often, with *The Robe*, *Magnificent Obsession*, and *The Citadel* not too far behind. Westerns were not called for at all, but mysteries, added later by request, and science fiction were quite popular, as were the sports quiz books and books on outstanding sports figures. One probationer took out a pocket-book biography of Jack Dempsey. When he returned it the librarian noticed some writing on the inside cover. The borrower said he happened to have the book with him when he caught sight of Jack Dempsey in a Manhattan restaurant and asked the former champion to autograph the book for him. The young man was allowed to keep the book as a souvenir. Later when he took out a Bill Mauldin book he remarked, "Maybe I'll get his autograph, too!"

A few of the probationers reporting in the evenings were women. They enjoyed talking to the librarian—"It's nice," they said, "to have someone to talk to while waiting"—and after discussing clothes, recipes, home decoration, jobs, and children with her they would generally borrow books on these subjects. They read novels and biographies; on the whole their reading interests were found to be very much the same as those of women in any branch library neighborhood in the city.

### Evaluation

In a preliminary evaluation by both the court and the library the experiment was deemed successful. The evidence was not the kind that lent itself to statistical or scientific verification, but it was nonetheless encouraging. The improvement in the tone and sub-

stance of office interviews speaks for itself. Though we have no way of proving it, we are convinced that, had it not been for the collaborative project, very few—perhaps none—of these probationers would ever have had the nerve or even the urge to borrow books from a branch library on their own initiative, as many of them are now doing. The man who told us one evening that he was skipping his usual trip to the local bar and would instead go home to continue reading a book he had picked up by chance on our shelves was not dissembling, and his experience was not unique in the group. There were other instances of young men who, after being discharged from probation, returned to our library for advice on leisure time reading and good inexpensive entertainment.

On the basis of this experience, the six-months trial period of the experiment was extended a few months. In the short time remaining to us we tried to secure foundation funds so that the project could be continued and broadened to provide for follow-through service. We failed, though our request was quite modest: \$6,000 for a full-time qualified librarian and \$2,000 for books and other expenses necessary to carry on the research in bibliotherapy.

When the library project finally had to be suspended on August 26, 1954, with only the pocketbooks still available on a self-service basis, Mr. Fitzgerald sent the following note to Francis R. St. John, Chief Librarian of the Brooklyn Public Library:

"It is perhaps too early at this stage to calibrate exactly the value of the contribution you have made, but I do know that you have opened up whole vistas to probationers who would never have gotten beyond the Dick Tracy level without you. Not only



that, but the entire experiment has made for warmth and understanding and cooperation, to an extent that would never have been possible without your help.

"Your librarians have done considerable groundbreaking in the development of new and untried methods of personality rehabilitation by use of the library service. The idea of bibliotherapy has caught on and we are all

confident that noteworthy progress has been made.

"The probation staff has been in an advantageous position to observe the gradual improvements in attitudes of our clients. Unquestionably, these have been due in large part to the service rendered by your professional staff. It has indeed been a fruitful and rich experience, one that added a new dimension to probation reporting."

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Reading retardation is one of the special handicaps often associated with juvenile delinquency. The retarded reader is unable to meet other children on equal terms since he is materially handicapped in the area of activity that consumes the largest single block of his waking hours. As he moves into the higher grades, ability to read becomes essential to any other kind of learning—textbooks and other printed material become the major tool.

The Board of Education personnel who know this field agree that "failure in reading accounts more than any other single factor for behavior problems, truancy, and general school failure."

In June, 1954, 20,000 New York City children, from the fourth to the sixth grade alone, showed a reading retardation of two years or more. More than half of 55,000 New York City eighth graders examined a few years ago were below grade in reading ability, and one in five failed even to score at sixth-grade level. . . . Our public schools are presently providing remedial reading teachers for less than 20 per cent of the children who are handicapped by major reading disabilities.

There is an urgent need for expansion of the volume of remedial teaching available in our schools. And there is a need, too, for adding a number of fully qualified specialists to provide intensive services for children with major conflicts in their approach to school work. The coaching job that the present staff contributes is a creditable one, but there are many cases where coaching is not enough.

Reading disability is most commonly associated with boredom with school and general maladjustment. . . . Since there is good reason to presume that emotional rather than purely intellectual obstacles are involved, *service in this field cannot be carried on single handed by classroom teachers. . . . Wherever a remedial reading operation is offered, it realistically must provide for adequate social work and psychological services on a "built-in" basis.*

—From "Perspectives on Delinquency Prevention,"  
Deputy Mayor HENRY EPSTEIN, New York City.  
(See pp. 82-83 below.)



# A Novel Approach to Juvenile Delinquency

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**D**ESPITE the severe drain on the resources of parents, social workers, and specialized courts in their struggle against juvenile delinquency, one inexhaustible reserve of assistance—the world of fiction—has been overlooked. The innermost recesses of juvenile behavior have been sympathetically exposed by such eminent writers as Charles Dickens, Lewis Carroll, and Mark Twain; while James Farrell, Willard Motley, and William Saroyan can be numbered among the many contemporary writers who have dealt effectively with the problems of youth.

The list of books selected for mention in this article is by no means comprehensive. Within the somewhat arbitrary classification of books here selected as examples under the general headings of "adjustment" and "mal-adjustment," a multiplicity of divisions is possible. The selections deal with economic backgrounds, religious settings, problems of the broken home, racial relations, parental neglect, sexual immorality, etc. Divisions in the breakdown of content could be as numerous and varied as are the headings in a textbook, but so extensive a study is beyond the scope of this article, which merely stresses the vital function literature can perform in the total war against juvenile delinquency.

## The Use of Fiction

The article should not be interpreted as giving carte blanche to fiction; its use is limited, and a careful analysis of material is required. Surely, the novelist has no priority on truth; he, too, is subject to bias and social astigmatism. No man has the vision or the power to encompass total reality. And yet, the novelist can match the sociologist's relativism with his literary realism. He can expose the half truths in the pronouncements of the absolutist, who is equally despised by the writer and the social worker. However, the same avenues of approach are not open to both.

The social worker must isolate the individual in order to analyze his problems and assist him in working out an adjustment to them. But the writer, regardless of his realism, is compelled to capture and convey the universal within the particular if he wishes to strike a chord of recognition within his reader. The case history need not captivate a wide audience: it can and does give a microscopic view. Each person develops uniquely, and yet he does so only within the framework of his membership in the family of man.

It would be misleading to claim that the social scientist's alliance with fiction is altogether novel. Lowell Juilliard Carr cited Kipling's "Baa

Baa Black Sheep" to illustrate the point that children are not born delinquent.<sup>1</sup> The core of an eloquent address by Kenneth R. Johnson, Dean of the New York School of Social Work, was a single episode from Dickens' *Oliver Twist*;<sup>2</sup> Teeters and Reinemann<sup>3</sup> discussed the effects of the Horatio Alger series on today's older generation and included works of fiction in their bibliography. This is a nominal approach—fiction used to support the social scientist's hypotheses. However, fiction can be organized and integrated into a program for the independent and effective use of the social worker.

### The Broken Home

The broken home, or the absence of one parent from the home for any reason, is a factor familiar to the social worker dealing with the delinquency problem. *Sorrell & Son*, by Warwick Deeping, and *The Human Comedy*, by William Saroyan, suggest interesting adjustments to this situation. The former is a perceptive study of a young boy's growth and development in a home rendered motherless by divorce. The father's devotion and his desire to help his son realize a full and rewarding life are eventually directed into a relationship which permits each to develop as an individual, with mutual love and respect. Saroyan's novel relates the story of a widow's courageous efforts to hold her family together in the face of

poverty and the disruptive influence of war. It is a story of growth in the midst of hardship, revealing the great contribution that such a mother can make toward the healthy development of her children if love and common sense prevail.

The history of the foundling has been chronicled in every conceivable manner by the novelist. *Oliver Twist* in the Dickens novel survived the stigma of a lowly birth and the corrosive influence of evil associations to achieve his measure of happiness and fulfillment. The Artful Dodger and Bates are more realistic characterizations of youth than the protagonist, as is often the case in Victorian fiction. The Artful Dodger travels the path of delinquency to ultimate destruction, while Bates makes a plausible adjustment after suffering the ill effects of an inauspicious beginning. In *The Foundling*, Francis Cardinal Spellman writes of a baby abandoned in a cathedral. Spiritually adopted by a Protestant, he is raised in a Catholic orphanage. Herein lies a tale of understanding and of the "faith among faiths" which transcends the confusions of a world twice disrupted by total war. Although Tom Jones in Henry Fielding's classic story of an illegitimate child does not live an exemplary life, he eventually finds contentment and success.

Confronted with the fearful challenge of being orphaned at eight years of age, Robert Shannon in A. J. Cronin's *The Green Years* survives the effects of earlier overprotection by his parents and learns to adjust himself to his hitherto unknown relatives in a rather austere atmosphere. As a Catholic in a Protestant household and community, he is helped to withstand his loneliness by the warmth of a priest and a school teacher who

<sup>1</sup> Lowell Juilliard Carr, *Delinquency Control* (New York, Harper, 1940), p. 70.

<sup>2</sup> Kenneth R. Johnson, "A Court Without a Fang" (address given at Cleveland, Ohio, May 22, 1952 on the fiftieth anniversary of the Juvenile Court of Cuyahoga County), reprinted in *Federal Probation* (December 1952), p. 11.

<sup>3</sup> Negley K. Teeters and John Otto Reinemann, *The Challenge of Delinquency* (New York, Prentice-Hall, 1950), p. 149.

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take a personal interest in his problems. Another positive influence which endures throughout his life is that of "Grandpa" Cadger's love, which the boy learns to value despite the old man's erratic nature and eccentric behavior.

### Family Life and Culture Conflicts

Novelists emerge from every economic and national group in our society, thus offering intimate knowledge and insight to the social worker who must relate to children from many cultural milieus. Herbie Bookbinder, of Herman Wouk's *City Boy*, is a child of the modern cliffdwellers, at home in the labyrinth of the subways and the cold, dim corridors of museums. As a Jewish boy, he shares in the rich culture of his parents, but here the author is more concerned with the characterization that reveals his young hero's thoughts, dreams, loves, and minor delinquencies, as well as his thrilling initiation into the world of nature, experienced through a stay at a summer camp.

*Chinatown Family* by Lin Yutang is the exciting story of a thirteen-year-old Chinese boy's emigration to the United States, whose mythical streets are "paved with gold." This renowned philosopher and novelist carefully weaves the strands of the boy's adjustment to a totally new society and stresses the need for the immigrant to retain some aspects of his cultural heritage, even as he becomes an American, lest he become a bad one.

The authors of these two novels do not pretend to describe all city boys, or Jews or Chinese everywhere, no more than a statistical report can give a complete picture of a group or of an individual. However, the authors do give a truthful account of the spirit

of their young heroes at work and at play in their distinctive environments. From these books and others like them, one can learn much of family devotion, sex education, intermarriage, and conflict and compatibility between religions and peoples of different races or colors. Their sensitive approach to specific cultural backgrounds is a source of enrichment to the social worker's experience and knowledge.

### The Agonies of Adolescence

Marjorie Kinnan Rawlings' *The Yearling* is a story of loneliness and the undefinable yearning of youth. Jody Baxter, living in an isolated region of Florida with his parents, sublimates his need for affectionate companionship into the care and training of a fawn, a relationship that ultimately conflicts with his family's struggle for survival in the face of man's and nature's adversity. Against a background often harsh and grim, the author recreates the beauty and pain which surrounds the child like an invisible cocoon as he struggles to emerge from the half-world of adolescence into the perilous but desired country of manhood. Similar in this respect is Stephen Crane's hero in *The Red Badge of Courage*, but here the young boy leaves the relative serenity of country life to serve as a soldier in the Civil War. The story is a realistic examination of fear and courage on the proving ground of battle—a trial by fire from which the boy emerges scarred but mature.

Two other novels of family life deserve attention principally because they are written in a lighter vein. *The Happy Time*, by Robert Fontaine, is a rollicking and tender story of little Bebe's attempts to grow up in the midst of eccentric and bibulous

uncles, an erotic grandfather, a lackadaisical father, and a stern and practical mother—a setting which would arouse the ire of any psychiatrist unless he was aware of the positive family spirit which pervaded Bebe's life and left him with fond memories of his childhood. *Junior Miss*, by Sally Benson, sketches the trials and trivialities of an upper middle-class girl in the throes of an unsophisticated Weltschmerz. In the sophisticated world of successful cosmopolitans in which her parents move, the growing pains of their teen-age daughter present some hilarious incongruities.

Meyer Levin's *The Young Lovers* serves as a literary transition point between the general categories of adjustment and maladjustment. With considerable sensitivity and compassion the author creates a pattern of young and unguided love, composed of the delicate strands of joy, conflict, and pain, which are woven from the raw material of faltering youth on the threshold of adulthood, afraid to move forward and yet unable to turn back. This book can benefit parents who only dimly remember the turmoil and confusions of their own youth. It can serve to remind them that youth is not the idyllic period of life that the mists of nostalgic reminiscence sometimes fashion. This novel could also be recommended to youngsters, not as a substitute for but as a supplement to guidance and understanding. It can help them realize that they are not alone with their problems in a hostile universe; it can help them avoid the unhappiness and near-tragedy of Frankie and Johnie, who had to learn that "as people grow up, their childhood love can remain, and grow with their growth."

### Varieties of Maladjustment

Any catalogue of the fiction of youthful misbehavior must at least mention Mark Twain's *Tom Sawyer* and *Huckleberry Finn*, Booth Tarkington's *Penrod and Sam*, and Lewis Carroll's *Alice in Wonderland*, if for no better reason than that, in a sense, Tom is a precocious liar, Huck an incorrigible runaway, and Penrod a truant; and as for Alice, the psychoanalysts are still working on her.<sup>4</sup>

The novelist's concern with maladjusted youth began long before the birth of "modern" psychology. Dostoevski's *Crime and Punishment* is about a student who believes that all things are lawful to the elect and tests his theory through a senseless murder. The story of his derangement and torturing conflicts is a classic study of abnormal psychology. Emily Brontë's *Wuthering Heights* offers a fascinating cause-and-effect study in human development: the brutal treatment which Heathcliff suffered as a boy<sup>5</sup> is doubly "avenged" in adulthood when he expresses his pent-up hostility in the savage brutality of Old Testament law, "An eye for an eye, and a tooth for a tooth."

Those novels which burrow beneath the surface of neurotic behavior provide grist for the social worker's mill. Steinbeck's *Grapes of Wrath* practically serves as a textbook for the sociologist along with the *Studs Lonigan* trilogy by James Farrell, who has been described as writing with a sociologist's objectivity when he deals with poverty, religious bigotry, economic inequality, frustration, sordidness, vice, and destructive en-

<sup>4</sup> Ewing Cockrell, *Successful Justice* (Michie, 1939), pp. 816-818.

<sup>5</sup> Fritz Redl and David Wineman, *Children Who Hate* (Glencoe, Ill., The Free Press, 1951).

vironmental influences. Similar in many respects, yet offering some interesting contrasts, is Willard Motley's *Knock on Any Door*, the morbid tale of a boy who had to become tough in order to gain acceptance in a tough neighborhood. Despite his good sentiments he is unable to cope with the evil aspects of his environment. Embittered by a lack of understanding, and the injustices he encounters, he gradually succumbs to degradation. Even to the moment of his ultimately tragic destruction, Nick Romano retains a desire for a better way of life, hidden beneath an armor of callousness and cynicism. Motley combines with his objectivity a reasonable sympathy for the confusions and torments suffered by youth when it must accept those very things it wants most to reject, but then finds itself powerless to do so. Implicit in this work is the point of no return, often found when guidance and understanding have been withheld too long. When this happens, the usual approaches are found to be ineffectual, and the portrait is drawn of an "incorrigible" who strains the social worker's patience and puts his ingenuity to a true test.

In contrast to these books, Alan Paton's stirring and lyrical *Cry the Beloved Country* shows that even parental love can fail to guide youth successfully if the larger world is alien and hostile. The heartbroken words of Kumalo upon learning that his only son has become a murderer—"To think that my wife and I lived out our lives in innocence . . . , not knowing this thing was coming, step by step"—spell out the tragedy of devoted parents who are incapable of grasping the  $x$  factor which turns a boy to violence and crime. Here, this unknown factor may be better under-

stood viewed from the standpoint of interracial relations festering in the social and economic climate of South Africa.

Social ills are not exclusively a matter of economic inequality. In *Tess of the Durbervilles*, Thomas Hardy strikes out against society for its ignorance and bigotry in sexual education. Though the tragic picture of his heroine, an innocent country girl scorned by society after she gives birth to an illegitimate baby, is now something of a stereotype in fiction, the author's anger with stupidity and self-righteousness is still valid today.

*The Catcher in the Rye*, by J. D. Salinger, is a first-person narrative of a brief but significant episode in the life of a wealthy sixteen-year-old non-conformist expelled from an exclusive private school. Afraid to return home, he wanders aimlessly around New York City. As the incidents pile up, the character of the troubled boy unfolds, exposing his self-doubt, his confusion, his rejection of his parents and their values, and his questioning of the vast and impinging world of adults.

Howard Spring's *My Son, My Son* furnishes added testimony that sparing the rod, on the figurative level, can result in sorrow. Here, we have a father-son relationship which contrasts sharply with *Sorrel & Son* by its utter failure. The wealthy father's equally sincere desire to help his son serves to accentuate the tragedy, for his overeagerness to give the boy all the "advantages" he believed he lacked in his own youth only leaves him despised by his son. With increasing viciousness, the boy destroys not only all his father's hopes for him, but the things most sacred in the father's life. It is extremely difficult to determine the specific point at



which such wantonness and lack of human decency begin to dominate a child's behavior. This ironic tale of maladjusted youth traces such a history and further gives credence to the time-honored axiom: "The road to hell is paved with good intentions."

Today, many communities are horrified and perplexed by adolescent drug addiction. Hal Elison, a recreational therapist, derived material for *The Golden Spike* from interviews with youthful victims of the drug habit. It is the story of a sixteen-year-old addict who, with ever increasing compulsiveness, escapes from the oppressive confines of a slum into a world of fantasy constructed by the ephemeral effects of the "needle." With realism and compassion, it traces the crimes he commits in order to purchase the drugs necessary to support his habit. It carries you into the underworld of the dope peddlers and involves you in the bitterness and futility of those who attempt to free themselves from the horrors of addiction, only to sink back into further dependence.

Karl Brown's *Incorrigible* is the story of a young boy who is not helped by his teachers and the social workers and certainly not by his alcoholic and criminal parents. The psychiatrist, the probation officer, and the juvenile court judge also are subjected to Brown's attack. The first, he says, makes hasty and superficial judgments; the second is prone to take bribes; and the third is more interested in the form than in the substance of the law. He does not completely achieve his stated objective: to strike a blow against the conditions which permit the confinement of children together with adults in mental institutions. However, he does give some indication of the damage that is done when such conditions as he

recounts exist in reality. The book describes the special kind of prejudice directed against the entire field of social work and its practitioners; it is mentioned here solely to suggest the wide variety of literature written about children and their problems. The reader must select for himself those books which best suit his needs.

The so-called "normal" child is as illusive and distinctive a figure as the "average" man. Adjustment is primarily an internal matter—the logical and desired consequence is adjustment to the external as well. To paraphrase a line from Robert Burns, "A child's a child for a' that." Each is unique, and all are amazingly similar.

Constant preoccupation and association with the abnormal can distort the social worker's perspective unless he makes a study of "normal" behavior beyond the confines of the case history.<sup>6</sup> A portrait of the adjusted child, placed in a fictional and yet truthful setting, can often illuminate the dark reaches of abnormality. The social worker who acquaints himself with the literature outlined here will find a delineation and discussion of almost any problem that may confront him in his work with juveniles. He will place himself in a position to recommend pertinent fictional selections to troubled parents that will augment their understanding of "mysterious" youth. In some cases he might even suggest some of these books to the adolescent himself.

<sup>6</sup> Gordon Allport, *Personality, A Psychological Interpretation* (New York, Henry Holt, 1937), p. 12: "The view that normality may be studied through the lens of abnormality is remarkably common. . . . Even if it be sound, the equation should be reversible, and the study of normality should illuminate the field of abnormality. . . . This possibility is persistently overlooked."

# The Inadequacies of Research in Delinquency Causation

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NO phase of contemporary human relations research presents as much difficulty as does the question of delinquency causation, fundamentally because of the ambiguity surrounding the definition of delinquency.

One of the basic axioms in empirical research is that the investigator must not proceed without precisely defining and delimiting the problem to be assessed. Once that is done, he must formulate a hypothesis capable of verification by data clearly and *specifically* relevant to the hypothetical position assumed.

There is considerably more to this than meets the eye. The question of "specifically relevant" data, for example, signifies far more than simply "beating the bushes" for evidence that may prove or disprove the researcher's thesis. In the technical parlance of the trained investigator, it means setting up a "research design": a set of controlling conditions which clearly stipulate the *only* kinds of data which can be employed to support or reject the position taken by the investigator. For example, if he is interested in discovering to what extent bad housing contributes to delinquency, it isn't enough for him to gather from varied sources some statistical tabulations which lend support to the relationship. What he must look for are those special conditions in which the evidence of bad housing

is irrevocably linked to those specific cases of delinquency in which he is interested. Too much of what has passed for delinquency research has consisted simply of adding evidence upon evidence—of enumerating conditions which have little to do with the query of the investigator. The fact that delinquency is concentrated in areas of substandard housing does not in itself prove that bad housing contributes to delinquency. It *may* contribute to certain kinds of delinquency, but this is considerably different from proving a causal relationship.

## Cause and Effect

A large portion of our current research still consists of supporting a case by utilizing whatever evidence is available, irrespective of its relevance to the problem under study. Albert K. Cohen, in a challenging Harvard University doctoral dissertation, indicated recently that much of our research is futile because *we do not definitely link it to specific and clearly worded hypotheses capable of verification.*<sup>1</sup> Since certain hypotheses in the field of delinquency cannot now be precisely framed, and cannot yield the kind of evidence required for their

<sup>1</sup> Albert K. Cohen, *Juvenile Delinquency and the Social Structure* (unpublished doctoral dissertation, Department of Social Relations, Harvard University, 1951).

proof, it goes without saying that there are certain problems pertinent to delinquency which, *for the present*, cannot be studied, no less answered.

But all carefully formulated research is *conditional*. There are no universal answers to our scientific inquiries concerning delinquency or any other human problem. All that we can say at any given time in regard to any given hypothesis is: *if* a certain condition prevails, *then* a certain consequence must follow. The "*if . . . then . . .*" supposition is basic to any form of causal investigation in either the social or physical sciences. In dealing with human beings, we recognize the part played by psychological values, which are not subject to laboratory control; nevertheless, if we exercise extreme care and rigor in the control and examination of our pertinent data, and link it with our hypothetical statements, we can arrive at some helpful conclusions concerning the operation of restricted causal factors.<sup>2</sup> Recognizing that different types of hypothetical conditions produce different types of resultant situations, we perceive that a knowledge of specific causal conditions enables us to obtain some insight into the possible alternatives of action which our intervention as therapists and delinquency control specialists produces. This is one of the contributions of truly effective research.

### Multiplicity of Definition

All of these broad principles about the scientific investigation of a problem can be applied, within limits, to the rigorous study of delinquency.

<sup>2</sup> See, for example, George A. Lundberg, *Can Science Save Us?* and his more technical *Social Research* (New York, Longmans, Green, 1947, 1942) for an extended analysis of the conditional nature of science.

Such principles are effective only if we define carefully, without the intrusion of the slightest misinterpretation or misunderstanding, precisely what it is we are trying to investigate. In the anarchic field of delinquency investigation, this is obviously impossible. In rigorous empirical investigation, there must be no doubt whatever about the meaning of fundamental terms. The wild exaggerations and generalizations which have become all too common in the field of delinquency have been inspired by the fact that delinquency has come to mean all things to all men. As shown by numerous investigators—Sellin, Robison, Schwartz, Reinemann, Tappan, to mention just a few—the concept of delinquency is so tenuously defined in statutory and customary usage, and is subject to such an overwhelming variety of conflicting interpretations, that dealing with it in a straightforward and conventional research fashion has become virtually impossible.<sup>3</sup>

How, for example, can such diverse conditions as "malicious mischief,"

<sup>3</sup> Among the numerous reports which have dealt with this topic, see, for example, Thorsten Sellin, "The Uniform Criminal Statistics Act," *Journal of Criminal Law and Criminology*, Vol. 40 (March-April 1950), pp. 679-700; Sophia M. Robison, *Can Delinquency Be Measured?* (New York, Columbia University Press, 1936); Edward E. Schwartz, "Statistics of Juvenile Delinquency in the United States," *The Annals of the American Academy of Political and Social Science*, Vol. 261 (January 1949), pp. 5-20 and, by the same author, "A Community Experiment in the Measurement of Juvenile Delinquency," *Social Correctives for Delinquency* (1945 Yearbook, National Probation and Parole Association), pp. 157-181; Paul W. Tappan, *Comparative Survey on Juvenile Delinquency, Part I: North America* (United Nations, Division of Social Welfare, New York, 1952). Also, the author's forthcoming *Delinquency: The Juvenile Offender in America Today*, in collaboration with Frank T. Flynn.

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"ungovernable behavior," "conduct injurious to morals," and the entire host of equally tenuous conditions of youthful misbehavior appearing in our juvenile codes be handled in the standardized forms essential in basic research? How can such diverse conditions, descriptive of states of mind, attitudes, morals, and community propriety, be encompassed in a frame of reference that can be efficiently applied to intelligent investigation? Is the investigator supposed to be evaluating the subjective impressions of the arresting officer, the judge, or the prosecutor, or the pressures and bias of the community, or the aberrant behavior of the child? The professional researcher refers to this kind of situation as "unstructured," meaning that the elements of investigation have been inadequately defined and the problems not realistically grasped.

Once the problem is defined effectively, good research then involves careful comparison of controlled samples, samples limited to the scope of that problem and as similar as possible in their general characteristics. Careful comparison of groups which are very much alike except for the item we are studying, whether it be substandard housing, gang association, school retardation, or some psychological defect—this, in a limited sense, is the lifeblood of all good investigation. Unless the researcher has a set of theoretical suppositions based upon research findings in psychology, psychiatry, and the social sciences upon which he bases his comparisons, even this type of research may be highly limited in its findings. It is difficult to conceive of good research today unless it specifies clearly and accounts for such variable conditions as differences in age-level

behavior, cultural and subcultural factors, social structure and relationships, and situational determinants.

### Proving the Obvious

In this respect the Gluecks, in their most recent research, made their greatest contribution and, at the same time, their most serious error. They assumed that controlled comparisons of so-called "matched samples" constitute the major design of effective research. What the Gluecks and others have failed to realize is that controlled studies in themselves tell us very little unless they are hypothecated on given sets of defined questions and stated premises. A hypothesis does *not* emerge from the compared results. Controlled comparisons are effective only in relation to a set of given questions which the researcher is attempting to answer. The result of ignoring this fundamental dictum of valid research is that we are forced to add extraneous interpretations to the differences we find between our samples. *Such interpretations may or may not apply to the condition we are investigating.* If by chance they do apply, they may be so commonplace that the investigation is hardly warranted. Or the findings may be altogether obvious. The Gluecks, after monumental research, arrive at the commonplace conclusion in *Unraveling Juvenile Delinquency* that the home (or the "under-the-roof" culture, as they call it) is by far the most prominent factor producing delinquency. With respect to their strenuous research efforts, one may still ask whether it was worthwhile for the mountain to labor to produce such a mouse. Should we not set our research sights in new directions, utilizing new perspectives and more promising leads and procedures?

Even the sociologically sophisticated layman and the professionally trained correctional worker remain largely unaware of the dimensions of modern research and the increasingly accurate instruments devised by the research specialist during the past few decades.<sup>4</sup> Research methods, both statistical and nonstatistical, have been much improved, but there has been little evidence of their application to the specialized field of delinquency.

When the average court worker, probation or parole administrator, youth worker or institutional supervisor thinks of research, he often thinks of the countless *surveys* dealing with adjudication or institutional commitment. In the strict sense in which the research specialist conceives his task, such projects may not be considered research in its most fundamental form. At best, they constitute a crude beginning of research—the necessary forerunner of the painstaking elaboration of cause-and-effect relationships and of the careful determination of the *character* of these relationships within a given problem.

<sup>4</sup> For an instructive summary concerning the range of many such modern techniques, see George A. Lundberg, *Social Research* (note 2 above); William J. Goode and Paul K. Hatt, *Methods in Social Research* (New York, McGraw-Hill, 1952); Ernest Greenwood, *Experimental Sociology* (New York, Kings Crown Press, 1945); F. Stuart Chapin, *Experimental Designs in Sociological Research* (New York, Harper, 1948). For an interesting illustration of the special application of a particular method to the field of delinquency, see Starke R. Hathaway and Elio D. Monachesi, *Analysing and Predicting Juvenile Delinquency with the MMPI* (Minneapolis, University of Minnesota Press, 1953).

For a popular account of some of the striking achievements and possibilities of the social sciences during the past three decades, see Stuart Chase's stimulating *The Proper Study of Mankind* (New York, Harper, 1948).

Undoubtedly these surveys serve a highly significant function in the immediate determination of administrative policy, but essentially they are mere compilations of data, a counting of specific instances of mental or school retardation, prior institutional commitments, previous court contacts, and the like. No one, least of all the professional research technician, underestimates the importance of such statistical summaries when they are factually honest and carefully compiled. But they do not constitute fundamental research. They tell us very little about the questions we really want answered: Precisely what produces delinquency? Under what conditions? In relation to what kinds of families and neighborhoods and what social, economic, and cultural levels? Under what conditions of psychological stress? In respect to what kinds of vulnerable personalities? At what age levels? In respect to what kinds of sibling relationships?

### Public Bookkeeping vs. Empirical Research

When an agency executive in the field of delinquency asks for a budgetary appropriation for the services of a research technician, what he generally wants and expects is a repetition of the same kind of fact-finding survey with which the field has been deluged. Such compilations, necessary as they may be, represent a form of public bookkeeping, rather than an accredited search for the basic factors producing delinquency. A great many members of the correctional profession are continuously confusing this type of public bookkeeping with empirical research. Administrative apathy, sustained by public ignorance and indifference, results in the unconscionable neglect of such fields as

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mental health where, in the face of increased mental illness and stress, we expend annually as little as five million dollars for psychiatric research. We will be able to solve some of the ominous problems of human maladjustment, of which delinquency is one expression, only when we spend for social research a reasonable fraction of the amount now spent annually in such places as the experimental laboratories of General Electric or the Massachusetts Institute of Technology.

Analysis of delinquency problems, with cause-and-effect relationships clearly delineated, requires a researcher with trained perception just as medicine requires a physician who can distinguish the relevant from the extraneous in the diagnosis of disease. What appears to be a significant clue to the untrained layman suffering from a physical disorder may well be of no importance to the physician. Since, in the field of delinquency, "everybody wants to get into the act," and since everybody has his own pet panacea, it becomes difficult to tell the case-hardened youth worker that what he considers important may have little relevance to his problem. "After all," he demurs, "haven't I worked with delinquents throughout my professional life? What can this interloper, who has never had to cope with them day after day, tell me about the causative factors which I see right before my eyes?" The answer is that what the youth worker, juvenile court judge, or probation officer sees, or *thinks* he sees, may have as little direct relevance to the problems of delinquency as heartburn may have to cardiac disorders.

In arriving at a conclusion, a *highly limited and qualified judgment*, the trained research technician does

not expect to achieve a universal panacea or an epoch-making pronouncement. This is one of the reasons that the non-academically oriented administrator whose problems are of the moment, requiring urgent and immediate treatment, becomes impatient with the cautious, restricted, and qualified judgments of the specialist. Like Ivan, in *The Brothers Karamazov*, the trained researcher wants, above all else, answers to his questions; and he recognizes that in such a complex field as human behavior, the answers, of necessity, are limited. Even though a conclusion may appear limited to the harassed and practical administrator, it frequently has more relevance to the immediate problems with which he is dealing than the tenuous and often unvalidated results which the average survey tends to produce.

### The Language of Research

Penal and correctional administrators, and those professionally concerned with the delinquency of youth, must at least learn the language of research. This means not a mere familiarity with the jargon of the social and psychological sciences, but a fundamental understanding of the research procedures needed for comprehension of significant research findings and their application. Modern sociology, cultural anthropology, social psychology, and psychiatry are developing a new interdisciplinary language, but it is the rare correctional specialist who is even remotely familiar with this new idiom. If we accept the basic premise that the handling of nonconforming personalities involves an understanding of complex webs of motivation, it goes without saying that the various facets of human personality must be fully understood by correctional workers, especially

those responsible for the determination of policy. We would hardly expect an engineer to build a bridge without a technical understanding of the proven physical and mechanical laws upon which the stability of the bridge depends. Yet, we do not become overly concerned when an official charged with the responsibility for human rehabilitation relies upon untested common sense, hunch, unverified hypothesis, conjecture, and that nebulous background of compounded ignorance which we so often dignify by the impressive term, "experience."

As one example of untested judgments which are so common, consider the current outcry that comic books are the cause of delinquency. When the public temper shifts, popular condemnation then focuses on television programs, or some other facet of our culture chosen as a scapegoat upon which we can vent our frustration. Recurrently, we fall back upon the nostrum of the well-meaning citizens' committee: "Lack of play-grounds is really the reason for youthful lawlessness." The inclination toward ready-made formulas, based upon untested observation and experience, is still the rule.

### "Critical Factors"

The principal defect of delinquency research is the consistent and conspicuous neglect of the "critical factors" which produce delinquency. We have been disposed to isolate specific social, economic, cultural, and psychological factors present in a given sample of delinquent children. We then regard these factors singly, or in combination, as constituting a sufficient causal explanation for the problem of delinquency under study. How to assign relative weights to

these separate factors always presents a problem, even when we employ the most ingenious statistical devices, because our samples are rarely homogeneous and differ in time and place, and we invariably disregard the cumulative impact of background factors. For example, much of even our better research appears to neglect the fact that each personality develops uniquely and that socio-cultural as well as biological factors have contributed to this unique development. We frequently overlook a significant finding which recent research in the social sciences, notably anthropology, is continually bringing to the fore; i.e., that *types* of personality structure seem to emerge from distinctive socio-economic and cultural settings. In other words, children from different types of economic, social, and cultural backgrounds appear to develop different types of patterned response tendencies which, under the provocation of an immediately inciting situation, may result in delinquency. A statistical correlation between sets of different factors is not sufficient to help us understand delinquency since such correlations provide us with only a *mass measure* pertaining to particular groups of children at a given time and place. Unless we take into account the unique patterning of types of children, reflecting their social and cultural backgrounds, we don't know *why* certain children in our sample become delinquent and others do not. All that we can tell is that certain children *do* become delinquent.

A large variety of children within a given area may seemingly respond in a delinquent manner to a common eliciting factor of the environment, but the fact remains that they respond for different reasons, or may not

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respond if the situation immediately confronting them is slightly different. For example, the significance of the broken home factor varies with the following conditions: the age group (a broken home appears to be far more demoralizing for children below ten years of age than for those above); the sex of the child; the immediate psychological situation confronting him in the absence of a parent; and which parent is missing. We now know that it is the *character* of the ensuing relationships which must be taken into account in assessing the effects of the broken home.<sup>6</sup>

"Critical factors" in research are those basic and recurrent patterns which must *invariably* be present if a certain condition or problem is to manifest itself. Thus, poverty alone is never a specific determinant of delinquency, nor is the factor of "bad companions" or a "disorganized family." The kinds of characteristics we have assumed to be significant in producing delinquency—whether sociocultural, environmental, or psychological—are frequently merely the overt manifestations of a form of behavior, or related types of conventional settings which appear to be extremely common. Actually, a paradox continually presents itself: many individuals living under the same harassing conditions that produce delinquency in others do not themselves become delinquent. Critical factors are those which tend to be operative in *some form* irrespective of broad changes in the environment and therefore produce predictable results, although in modified and

variable form, depending upon what changes in the environment take place. For example, aggressive children, do not necessarily become delinquent, although the potentiality is present, but they may become so when the environment presents peculiarly inciting circumstances at the right time. Conversely, we may find certain recurrent circumstances in the environment, such as a peculiarly structured family situation, one in which the culture encourages the mother to be permissive and the father punitive. This tends to produce certain frequent and regular responses by the children. Kurt Lewin referred to such recurrent factors as "genotypes." The mere statistical amassing of facts concerning delinquency which *reflect* some basic causal process and *not* the causal process itself represents the error of "classification thinking"; i.e., putting similar items in a common class and assuming that their common characteristics are necessarily related. A familiar example of this fallacy is the tendency to place members of a common race, nationality, or religious group within a common class and to assume that their social characteristics are causally related to the fact of that racial, national, or religious background. Whitehead refers to this commonly found error in delinquency research as "the error of misplaced concreteness."

### Genotypes

Upon occasion, we are fairly successful in isolating specific factors which appear to be functioning genotypes, although no one would venture to assert that we have actually mined the real ore. The best of our research is effective when it approaches the discovery of basic factors able to stand the test of time. In the field of

<sup>6</sup> For a critical review of the long series of studies which have been made on the broken home, see the author's *Disorganization: Personal and Social* (New York, Knopf, 1952), pp. 188-199.

delinquency research, Healy and Bronner's *New Light on Delinquency and Its Treatment* still stands out for its genuine insight. Their theory that certain emotional deprivations are the basis for producing certain forms of delinquency has never been seriously challenged. The one major error in this study is that it deals primarily with certain *types* of delinquents, rather than with delinquent behavior *per se*. (Critics of this work have been quick to point out that most of the delinquent children studied at the Judge Baker Foundation were emotionally disturbed.) The study adhered closely to the principles of good research by explaining how a given basic factor *might assume different forms under varying conditions*. Not only were the reasons for a certain type of delinquency explored and studied, but a reasonable and valid explanation was given as to why such delinquency would *not* occur under other conditions, why some siblings became delinquent and others did not, and why those, with strong impulses toward delinquency, did nevertheless manage to escape delinquent involvement. This appears to be the road toward effective research even today, a good quarter of a century later.

What is the value of such a pioneer piece of research? It teaches us that genotypes *motivate* individuals to react in certain ways to peculiarly constructed situations. A child will not necessarily become delinquent simply because he is exposed to certain environmental conditions which are considered bad or demoralizing. He will become a delinquent only if he is *motivated* to become a delinquent. *The crucial genotype in delinquency research lies in the personal-social matrix of motivation, and this is the very*

*problem we tend to neglect*. A specific motive may be basic in tending to produce maladjustment or delinquency, but there is no guarantee that such an outcome is inevitable. For example, a strongly aggressive child will become delinquent if the only opportunities in the environment for the expression of aggression are *anti-social*. If the environmental opportunities to which he is exposed are confined to socially approved channels—and the differences in community sentiment in this respect must be carefully studied—then the aggression may be expressed in a number of ways wholly acceptable to the social group. For this reason it is imperative to study the varying cultural standards and values of different groups and communities.

### Cultural Patterns

The recent work of the Committee on Human Development at the University of Chicago and of a number of independent researchers exposes the defects of any delinquency study which fails to take into account the value-system of the community.<sup>6</sup> Allison Davis' analysis of the cultural environments of low-income groups points up the inevitable conflict between delinquents and the middle-

<sup>6</sup> Among other studies, see, for example, Allison Davis and Robert J. Havighurst, "Social Class and Color Differences in Child Rearing," *American Sociological Review*, Vol. 11 (December 1946), pp. 698-710, and by the same authors, *Father of the Man* (Boston, Houghton, Mifflin, 1947). Also, Robert J. Havighurst and Hilda Taba, *Adolescent Character and Personality* (New York, Wiley, 1949); E. Wight Bakke, *The Unemployed Worker* (New Haven, Yale University Press, 1940); and for an over-all analysis of the implications of value systems, Milton L. Barron, "Juvenile Delinquency and American Values," *American Sociological Review*, Vol. 16 (April 1951), pp. 208-214.

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class morality that prevails in schools, where the middle-class teacher's attitude toward intractious lower-class children, and even such routines as the intelligence test, result in their subtle exclusion from our broad patterns of "morality." Yet, it is not uncommon in our research to pay little heed to the study of variable community value-systems and the conflicts they provoke in the lives of children who have been automatically excluded from normal community participation.<sup>7</sup>

If another illustration is needed to show the danger of ignoring the interaction of motivational patterns and community culture, we can point to the false assumption that the effects of racial and minority group discrimination tend to be uniform. The generalization that discrimination produces delinquency is true only to the extent that we assess and evaluate carefully the *kinds* of personalities exposed to different types and stresses of discrimination. Human beings respond to real situations, not to social processes in the abstract.

The conclusion is that motivational study is basic to an analysis of delinquency causation and, secondly, that motivation alone tells little unless we appraise motivational patterns in the context of their distinctive social and cultural situations. It is for

this reason that delinquency is so difficult to predict since, in effect, we can never be quite certain as to the types of situations to which a vulnerable child may be exposed and the intensity of a given motivation at a specific time. This does not mean, however, that predictive scales have little place in the field of effective research. Certainly, we can begin to detect, as the Gluecks and others have attempted to do, those genotypes which are *likely* to produce delinquency. In our prognostications, we can never anticipate certainty. All we can do is operate hopefully in the realm of statistical probability. Even the predictions of nuclear physics are less than precise. Where the human individual is a free and mobile agent, and where the situations in which he finds himself are not always of his or our choosing, the problem of prediction becomes much more hazardous and uncertain.

To be effective in the analysis of delinquency causation, research must operate within what is referred to as the "personality-situational manifold"; i.e., it must specify clearly those conditions under which given motives produce adverse effects. The concentration upon the individual delinquent, his psychological motivations, and the personality orientation which has produced him is effective only insofar as we relate them to provocative and stimulating circumstances. By the same token, concentration upon the environmental conditions most conducive to delinquency proves to be of limited value unless related to specific configurating conditions of the personality. What we are working with is a complex of interpersonal relationships and *not* with specific personalities alone or with specific environmental condi-

<sup>7</sup> In fact, there is a compelling need for reorientation of the psychiatric perspective in the study of delinquency problems. The writer is presently engaged in a study which attempts to illustrate the defects of psychiatric interpretation that ignores limiting cultural conditions. For example, psychiatrists commonly emphasize "rejection," which occurs mainly in middle-class families, as a basic mechanism in the causal process of personality imbalance. Rejection may have little or no part in the developing life-histories of the majority of underprivileged children.



tions in and of themselves. As far as their research orientation is concerned, psychiatrists are just beginning to appreciate the significance of the social and cultural factors so vital in personality structuring. Largely because of their clinical orientation, they have overlooked the function of cultural value-systems in determining characterological defects and adjustment patterns. Few of them have sufficient grasp of Harry Stack Sullivan's pioneering work, though his "interpersonal approach" holds great significance for psychiatry in general and the study of delinquency in particular.

### Interdisciplinary Thinking

However, there are hopeful signs on the horizon. More than ever, those studying delinquency causation from different vantage points are drawing closer together; they are beginning to recognize the need for a new type of interdisciplinary thinking. Within the last decade such work as the

Hewitt and Jenkins study of the fundamental patterns of maladjustment, despite certain methodological shortcomings, suggests in part the way in which our research perspectives must be adjusted.<sup>8</sup> A recent praiseworthy example in sociology is Albert J. Reiss' stimulating study of the social conditions which correspond to certain types of delinquent children.<sup>9</sup> Despite the harrowing conditions of the present, the many advances in the social and psychological sciences and the growing appreciation of the interdisciplinary approach may pave the way for an effective attack upon the age-old problems of youthful maladjustment and waywardness.

<sup>8</sup> Lester E. Hewitt and Richard L. Jenkins, *Fundamental Patterns of Maladjustment: The Dynamics of Their Origin* (Springfield, Ill., State of Illinois Publications, 1947).

<sup>9</sup> Albert J. Reiss, "Social Correlates of Psychological Types of Delinquency," *American Sociological Review*, Vol. 17 (December 1952), pp. 710-718.

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# Research and Evaluation\*

## Applying the Scientific Method to Problems in Business and Social Work

COVERLY FISCHER

*Vice-President, Home Title Guaranty Company, New York City  
Trustee, National Probation and Parole Association*

RESEARCH and evaluation in business and social work are, in effect, the application of the scientific method to the solution of problems presented in these two important fields. In *The Proper Study of Mankind*, Stuart Chase lists six methods of solving problems: (1) appeal to the supernatural, (2) intuition, (3) appeal to authority, (4) pure logic, (5) common sense, and (6) the scientific method. "The scientific method," he says, "is the only method yet discovered which produces knowledge that stays put, at least until a closer fit to reality is found."

### Scientific Method

The scientific method involves not a complete abandonment but rather a refinement of the other techniques listed above. When it is adopted, "appeal to the supernatural" becomes the abiding faith of the investigator in his search for truth; "intuition" becomes the inspired idea born of constructive thinking; "appeal to authority" is directed to reliance on the established facts of the particular discipline; "logic" becomes the tool for the formulation of new hypotheses, avoiding abstractions that have no referents; "common sense," related to up-to-

date knowledge of the available facts and devoid of misleading subjective influences, becomes intelligence creating new knowledge.

The scientific method has four major elements:

1. *Statement of the problem to be solved.*
2. *Accumulation and classification of pertinent facts and information.*
3. *Analysis of the material and formulation of a theory or hypothesis.*
4. *Experiment and observation to prove or disprove the theory or hypothesis.*

Compared with empirical or trial-and-error methods, the scientific method is more objective and lends itself to more meticulous analysis of the problem; it encourages the formulation of new theories or hypotheses rather than strict dependence on past experience; and it tests the solution before putting it into operation.

### Research in Social Sciences, Business, and Social Work

Research and evaluation in business and social work are related to basic research in the social sciences. Stuart Chase defines social science as "the application of the scientific method to the study of human relations." He describes the "hard core" of social science as the disciplines of cultural anthropology, social psychology, so-

\* Adapted from an address delivered at the National Conference of Social Work, Atlantic City, N. J., May 12, 1954.

ciology, economics, and political science, all receiving "assists" from mathematics, statistics, logic, and semantics. In these fields considerable basic science or social science theory has been and is continually being developed by generalizations or "laws" which, through the application of the scientific method, have been verified and hold good under similar conditions in any society. Examples are the universals in the culture concept, the sampling theory, the reproduction index for population, life-span tables, etc.

To produce the best results, the business or social agency administrator must have available not only the findings of previous explorations in his field of social science, but also those findings pertinent to his particular problem.

Atomic energy and the hydrogen bomb could never have been developed by strictly empirical methods. These new formulations and discoveries in the physical sciences were based upon a fund of knowledge and known theories which had been proven previously. Business and social work—in fact our whole social structure—can keep pace with and safely direct our progress in the physical sciences only if the same methods are applied to human relations.

### Scientific Method in Operation

1. *The Problem to Be Solved.*—There is no limit to the range of business and social work problems to which the scientific method may be applied. The problem may involve many business and social aspects of an entire community; it may affect all the corporations in a certain industry or all the members of a certain council of agencies; it may involve a broad objective of a single company or a

program of a particular agency; or it may relate to a limited operation of a business or an agency which may lead toward the solution of broader problems.

2. *Accumulation and Classification of Pertinent Data.*—Source materials are varied. The following leads, however, should not be overlooked:

- (a) Results of related research and surveys already conducted by others.
- (b) Pertinent material available from research in basic social science.
- (c) Results of research and surveys in other businesses or professions with related problems.

3. *Analysis of Material.*—The following rules should be observed in order to assure objectivity and a high degree of accuracy:

- (a) The investigator must obtain a representative viewpoint of all persons or all classes of persons involved in the problem. Usually in business and even more frequently in social work, a committee is formed—with all interested points of view represented—to work with the person in charge of the survey.
- (b) The investigator must view objectively the emotional response of the persons involved with the problem; he himself must be free of personal bias or prejudice about the problem.
- (c) Consideration must be given to all possible variables that may have caused the problem or that may influence the effectiveness of a certain solution. Compared with research in the physical sciences, the human element in business and social work brings in variables that can easily throw an investigator off the track unless he is fully alert to them.
- (d) The investigator must have complete independence, which means freedom to bring all the facts of the

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situation into the open regardless of whose toes may get stepped on. Constructive criticism, supported by recommendations for new and improved methods of attaining worthwhile objectives, is generally not resented by persons directly concerned.

**4. Experiment and Observation to Test the Theory.**—If the theoretical solution or hypothesis arrived at is to become "law," in the sense of generally accepted business or social work theory, experiments must be conducted under such conditions that similar methods applied to the same set of facts by another qualified investigator will produce the same result within a reasonable margin of error. In *An Approach to Measuring Results in Social Work*, David G. French gives an excellent presentation of the methods and criteria for carrying out such experiments, including standardization of procedures and use of control groups.

In business and social work research and evaluation, the testing of the hypothetical solution is often done by the establishment of a pilot project. If the pilot project is successful the new theory is put into practical operation. (When the theoretical solution of the problem appears to be self-evident, it is put into effect without testing—a procedure closely related to empirical methods. Nevertheless, the scientific method will have been used in formulating the new theory with assurance of an objective evaluation of the problem.)

#### Scientific Research in Business

Recent progress in the social sciences has stimulated scientific research in all branches of business administration. Most of the modern features of administrative planning, organization,

personnel policies, public relation programs, and other phases of administration are fruits of research and evaluation (or the application of the scientific method) to the various problems that have arisen in these fields.

In business, scientific research based on the social sciences is becoming increasingly important in solving labor-management problems. Situations are appraised in terms of employment statistics, cost-of-living indices, market analyses, customer polls, workloads, and so on. In some of the larger organizations, psychologists and other social scientists are employed to develop criteria for job screening, more productive and healthier working conditions, and bigger and better sales programs.

In any industry or group of agencies in the same service area, uniform accounting practices are essential for the development of meaningful statistics on an industry-wide or service-wide basis. It is essential to have proper allocation and detailed classification of income and expense items with respect to kinds of services and areas of operation. Only in this way can there be proper budgeting controls and an opportunity for an accurate comparison and appraisal of month-to-month and year-to-year operations.

The work of the Cost of Foster Care Committee of the Welfare and Health Council of New York City has pointed up the importance of proper cost accounting methods and uniformity of accounting procedures in an agency group. The function of this committee is to analyze annually the costs of foster home care for children and to recommend changes in the rate of reimbursement by the city for the care of city wards in private institutions and foster homes.

The problem facing the committee has been to correct a situation where some agencies have been receiving grants up to 90 per cent of actual costs, whereas other agencies with higher standards of professional casework and supplemental services have been reimbursed for only 20 to 40 per cent of their costs. Primarily, this has been due to the fact that when the studies were first started, per capita costs reported by the agencies were meaningless. Without adequate classification and breakdown of income and expense items, the figures represented no more than an over-all cost with no means of comparing the various categories of expenses between agencies.

The committee, composed of city child care officials and lay and professional representatives of child care agencies, has been making an intensive study of the problem for the past six or seven years. Its primary effort has been the development of a method of uniform cost accounting on the basis of which annual cost studies can be more accurately related to the character and quality of agency services.

Standardization of criteria was established for the classification and allocation of expenses between institutional and foster home care in a single agency, with respect to such items as food, clothing, personal incidentals, and shelter, and covering such basic services as care of physical health, basic recreation, and religious training. Specifications and appropriate criteria were also developed for expense allocations covering supplemental services on three levels of standards for professional casework: psychiatric and psychological services, remedial education, and professional group work and recreation.

As a result of this research and the establishment of uniform cost accounting methods, the committee was able to recommend to the city a basis of reimbursement for care of city wards under which a fixed rate is paid for minimum basic services, with additional grants for supplemental services in proportion to the level of standards maintained by each agency.

The principles for applying the scientific method are usually meticulously followed in basic social science research. In business and social work research, however, time, money, and circumstances do not always permit strict adherence to the rules of the scientific method as I have outlined them. What might be termed "a scientific approach" to the problem is generally a new theoretical solution or hypothesis resulting from the investigation tested either by a pilot project or, without any further testing, established as new procedure in the situation.

#### **A Business Research and Evaluation Project**

The business of Home Title Guaranty Company, with which I am associated, is the searching, examination, certification, and insurance of titles to real estate. We search and examine from the public records over 35,000 properties a year and insure as many property owners and holders of mortgages against loss and damage they may otherwise incur as a result of possible claims against their titles, for as long as they hold the property or mortgage. As a matter of fact, we dispose of an average of one to two such claims a day. Our business involves the employment of over 400 people and a capital structure of over two and a half million dollars.

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Although the insurance policy is the "ultimate product," what counts most is the professional service we render by reporting on the legal aspects of the title on which our insurance is based, and by facilitating the closing of the transaction. In this respect our work corresponds to the services a social agency renders to its clients.

Two years ago we conducted an extensive research and evaluation project on the searching and examining of titles on our five branch offices in the New York metropolitan area. The scientific approach as outlined above was closely followed:

1. *The Problem to Be Solved.*—Our five branches, although closely integrated with respect to broad company policies and interoffice operations, had over the years enjoyed considerable autonomy in developing standards and methods of searching and examining titles. It was felt there was a need for standardization of methods in order to make available to all branches the advantage of the best methods of each. The problem, therefore, was to analyze and evaluate the standards and methods of searching and examining titles with three objectives in mind: (a) improving our service to our customers, (b) maintaining the highest possible staff morale, and (c) reducing unit costs. You can see that all three of these objectives would similarly apply to operations of a social work agency.

2. *Gathering and Classifying Data.*—Our comptroller was designated as the chief investigator. Although in a position to accumulate all pertinent facts and information pertaining to the problem, he had had no personal responsibility for the methods and procedures under review. He maintained close liaison, however, with

the chief title executive of the company who was best versed and most experienced in the techniques and procedures under investigation.

As a result of good cost accounting methods, statistics were available on (a) figures on per capita production or workloads (comparable to caseloads in social work), (b) unit costs, on the basis of individual as well as over-all operations, and (c) rate of turnover of staff in the various categories of employment. The standards and methods of searching and examining titles in each branch were explored and recorded. Similar facts and information can be accumulated in applying the scientific method to an evaluation of a social service.

3. *Analyzing Material and Formulating a Theoretical Solution.*—To obtain all points of view on the problem, the investigator discussed the accumulated material with branch managers, department heads, and workers performing the various operations. Customers also were consulted about the changes that would affect the forms and reports they had customarily received. In a social work project it would likewise be advisable to sound out the client's viewpoint on procedural changes.

All possible variables were taken into consideration, including differences between our methods and those used in the public recording offices. The effect of procedures in the public recording offices on our own work is similar to outside influences of parents and others on a caseworker's efforts in child guidance. The difference in the character of individual properties under examination might be compared with the difference in degree of emotional disturbances of individual children under care, and so on. All such variables must be considered.

All the facts of the situation were brought out in the open in such a way that those who might otherwise have felt they were under personal criticism were instead brought into the project and made to feel a part of it. Therefore they were more willing to accept the ultimate constructive recommendations and to put them promptly into effect.

The theoretical solution of the original problem or "new hypothesis" was the recommendation of new and revised standards and techniques for searching and examining the titles. These solved the original problem to this extent: that subsequently it was proved that they (a) speeded up the operation and made it more efficient, thereby giving improved service to our customers, (b) improved working conditions and effected savings in costs, a part of which went toward salary increases, thereby maintaining high staff morale, and (c) reduced net unit costs after salary increases, thereby benefiting the stockholders.

#### 4. *Testing the Theoretical Solution.*—

Many of the new techniques that were standardized had already been proven by their use in one branch or another or were obviously practicable. Other recommended procedures, however, were subjected to testing by use of control groups. I shall mention only one which may be of interest and involved the question of breaking down the work into a number of simple individual operations on a sort of assembly-line basis, as against the procedure of one person's performing almost the complete search and examination from start to finish. Control groups were set up to measure the effect of both systems on staff morale and rate of production. The results proved that the method by

which one person carried the job through to the finish is best for both morale and production (except in cases of complicated land assemblages, for which a team system was set up). The assembly-line method was not workable primarily because our staff members who search and examine are people of considerable intellectual capacity, most of them members of the bar. Assembly-line tactics not only were distasteful to them and detrimental to morale, but also limited the experience and training of the individual workers.

The project as a whole was most successful and we now find this type of evaluation essential to keeping pace with constantly changing conditions, particularly with respect to our production and sales problems. The application of the same technique to problems in social work administration can be equally fruitful. Two examples of the scientific approach in solving social work problems are given below:

### Street Clubs Project

The Central Harlem Street Clubs Project was launched in October, 1945 under the auspices of a committee of the Welfare and Health Council of New York City (then the Welfare Council). The committee chairman was G. Howland Shaw, who at the time was also president of the Council. James R. Dumpson, now child care consultant, Federation of Protestant Welfare Agencies, Inc., was the professional consultant on the project. Field work was performed from July, 1947 to July, 1950; further study and evaluation of the findings were made later.

1. *The Problem to Be Solved.*—The problem to be solved was how to

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establish a program for terminating the series of violent wars which had broken out among a large number of street gangs in New York City, resulting in serious casualties and even deaths, and terrifying neighborhoods in which they occurred.

### 2. *Gathering and Classifying Data.*—

Mr. Shaw's committee represented a cross section of various community interests and professions; it included judges, teachers, administrators, physicians, research experts, police officials, and ministers. Thus, unlimited sources of information and facts pertinent to the situation were immediately available to the committee. Information was also obtained from Cleveland, Chicago, Baltimore, Detroit, and Los Angeles, showing what had been done with comparable problems in those cities.

### 3. *Analyzing Material and Formulating a Theoretical Solution.*—

For more than a year the committee and staff collected data and met frequently for analysis of material. The broad representation on the committee made it possible to consider the problem from all points of view. All possible variables were taken into consideration, including environmental and parental influence and inadequacy of housing, school, and recreational facilities. In October, 1946, the committee stated the hypothesis at which it had arrived: If approached in the right way by the right sort of adult, the street gang could be influenced in the direction of socially desirable behavior.

### 4. *Testing the Theoretical Solution.*—

Two area projects for testing the hypothesis over a three-year period were originally recommended by the committee. Insufficient finances, however, made it necessary to limit the

experiment to a single area project in Central Harlem. The committee standardized the operation by defining specific methods to be employed by the project staff, which included an area director and five area field workers. The efficacy of these standards was to be evaluated as the project progressed. A research director was appointed to assure freedom from unconscious bias or inaccurate or incomplete observations. He drew up a research plan providing for analysis of process records based on the workers' field observations, and for objective measurement of results by use of psychological tests and study of control groups. Unfortunately, limited finances again restricted this type of evaluation and the research director was required to rely upon a systematic analysis of selected aspects of the workers' process records.

A subjective evaluation of the project seemed to prove the original hypothesis to the extent that:

(a) The workers were successful in establishing working relations with the gang members sufficiently to exert a constructive influence.

(b) The project had a definite impact on the boys' aggressive behavior, but exerted much less influence on their escapist activities (reefer smoking, drinking, and gambling).

(c) The boys were stimulated into more organized recreational programs than previously.

(d) The boys showed a definite improvement in interpersonal relations, becoming more democratic, harmonious, and cooperative.

(e) The project opened the way to many services that the boys might never have had otherwise, including individual counseling, psychiatric help, and probation.

In July, 1950, when the project ceased operation, the process records were turned over to the Research Department of the Graduate School of Sociology of New York University, for analysis and evaluation. The purpose of this outside objective evaluation of the project was to measure what was done and how effectively it was done.

Sufficient results were obtained in reducing gang fights in the Central Harlem area to justify the adoption and further development, by the New York City Youth Board, of the techniques outlined in the initial report. In Boston, a program to control and prevent delinquency is being based on the techniques developed in the Harlem project. Correspondence with agencies here and in England shows that the project has already had a vast influence on programs aimed at curbing juvenile delinquency in many areas.

### Oregon Survey

Another example of dynamic research and evaluation, although it does not involve the testing of a particular hypothesis, is the recent National Probation and Parole Association survey of the Oregon Parole Board and the Department of Parole and Probation.

1. *The Problem to Be Solved.*—When the study was originally requested by the governor and the State Board of Parole and Probation, answers to these questions were sought:

(a) Does the volume of work performed require the appointment of a full-time board in place of the then existing part-time board?

(b) What additional staff does the increasing volume of probation and parole work require?

When the scope and method of the study were planned, related questions

came to the fore, involving possible improvement of methods, most effective use of parole as a release procedure, use of presentence investigations in sentencing and of probation as a disposition, administrative efficiency, probation and parole success in terms of completion of periods of supervision without revocation, performance of casework functions with probationers and parolees—in brief: what should be the immediate and long-range goals for the development of probation and parole in Oregon?

### 2. *Gathering and Classifying Data.*—

At the suggestion of the National Probation and Parole Association the governor appointed a broadly representative citizens' committee to sponsor the study jointly with the Board of Parole and Probation and to receive the report with its findings and recommendations. This committee was composed of twenty-nine representatives of the bench, bar, press, legislature, professional social work, the clergy, and interested civic and tax organizations. The chief justice of the state supreme court served as chairman. After the committee had agreed upon the scope of the study as outlined above, NPPA staff systematically accumulated all information and facts pertinent to the problem. Statistical data were gathered to measure the volume of parole board and staff work, and the extent of court use of probation services and probation and parole case movement. Evaluations of board procedures and policies, administration, and staff performance were made by individual interviews, direct observation, and study of a sampling of active and closed cases.

3. *Analyzing Material and Formulating a Theoretical Solution.*—As questionable policies and practices came

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to light, the state staff and administration were consulted to explore the bases for such policies and practices and to get the advantage of staff experience and thinking in working out a better solution to the problems presented. Full participation and objective self-appraisal by staff and administration during the field work process helped them accept the recommendations finally submitted.

The findings in two reports, totaling over 125 pages, were the basis for the following recommendations:

(a) Appointment of an independent, full-time, salaried, qualified board of parole.

(b) Appropriations for sufficient parole and probation staff to handle an expanded workload of parole investigations and supervision.

(c) Earlier and more frequent board hearings, with a more extensive use of parole to reduce the unconditional release of penitentiary inmates into the community.

#### 4. *Testing the Theoretical Solution.*—

In this case the recommended solution to the problem was not in the form of a new theory to be proven, in the sense of a new hypothesis in scientific research. The proposed solutions were based on theories already proven and practiced in other localities within the experience of the National Probation and Parole Association. The problem, therefore, became one of making the recommendations operative. Standards and methods for putting the new program into action were developed and recommended, together with necessary new legislative enactments.

By the time the final report was published, the board and the director of the department could be given credit for having proceeded immediately to correct some of the weaknesses of the system. Provision had been made

for additional staff, and plans were under way for needed reorganization and redistricting of field offices to decentralize administration.

While some of the report was critical of current practices, it was constructively so and those who were an object of the research felt they had played a part in the project. They were thus prepared to follow through in the planning and action phase, which is undoubtedly the most important test of results in a dynamic research project.

### Some Obstacles

These examples of research and evaluation illustrate the importance and value of the technique we have been discussing. There are, however, at least four great obstacles that must be overcome:

#### 1. *The bulk of individual reports on social work research and evaluation.*

There seems to be no simple alternative. The project must be written up in full detail, presenting all the accumulated facts, together with the standards and methods that have been used in evaluating the findings and formulating the theories derived from them. Otherwise they will not present the necessary proofs to justify general acceptance by other professional workers and scientists.

To counteract this necessity, it is essential that findings and conclusions be clearly and succinctly summarized. This not only is helpful in making the report more understandable and easier to review by all concerned, but is essential if any system of proper indexing of social research work is ever to be developed. It is also important for quick appraisal of the report's coverage when used as reference material in subsequent projects.



2. *Loss of time on individual projects due to lack of an adequate system of indexing findings on completed research.*

No feasible remedy has yet been developed. Periodic surveys, by departments of the federal government, the Social Science Research Council, foundations, societies, and state agencies, have been made, some on a fairly broad scale, others in restricted fields of social science, to determine and classify the research and writings of social scientists throughout the country, but no central indexing bureau has been established to which results in research may be reported and made quickly available to workers on new projects. The availability of such material in the field of social work research is especially limited.

3. *Comparative paucity of funds available for research in social work and the basic social sciences.*

In social science, the chief sources of research funds are found in government grants-in-aid and letting of research contracts, university self-financed programs, and projects sponsored by foundations and individuals. The total amount available from these and other sources is insignificant compared with the funds available for research in the physical and natural sciences—even excluding atomic research.

Consideration should be given to a

study of the whole subject of social science research requirements, pointed toward replacing the present system with a forward-looking, coordinated program that will command its deserved share of funds from government and other sources.

In the meantime, public and private social work agencies can do at least three things to provide more funds for current social work research: (a) Give special attention to allocating an adequate portion of their annual budgets for research and evaluation, as has been successfully done by the National Foundation for Infantile Paralysis in the area of medical research. (b) Do a better selling job in submitting individual projects for financial support to foundations and individuals. (c) Create sponsoring committees of leading citizens and make clearer and more dramatic presentation of their problems to the public.

4. *Lack of a sufficient number of professional research workers compared with the vast number of problems to be solved.*

As a better financed, well-planned research program is developed, an increasingly larger number of students should be attracted to the field as a vocation and sufficient educational facilities should be developed to meet the demand.

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# Annual Reports

JOHN SCHAPPS

*Director, Western Office, National Probation and Parole Association*

OFFICIAL reports in the field of probation and parole are intended to render an accounting of services performed and funds handled. Frequently they interpret programs and discuss administrative and operational matters. Addressed primarily to the officials and citizens of the jurisdiction served, they often contain elements of even broader significance and interest.

The reports received so far by the NPPA for 1953 and 1954 and reviewed for purposes of this article range from the completely statistical, with combinations of text, chart, and table, to the illustrated brochure-type of publication. Forms of reproduction include typewriting, mimeographing, and printing; in size, reports range from the postcard to the volume of several hundred pages. Covers and colors aimed to attract reader interest were of great variety.

Were they sufficiently uniform in their statistical recording (they are everything but), it might be possible to attempt a consolidation and generalization of the reports on hand; at the present time, and for present purposes, this is not feasible. Composite pictures often destroy individual identity. Consequently, the intent here is to comment *about* the reports as far as space limitations permit, to excerpt more from concepts than from compilations, and to avoid re-reporting as far as possible. If this leads the reader to a desire to "see for himself," he should approach agencies directly, since the

NPPA does not have extra copies for distribution.

Between June, 1954, and May, 1955, we received a total of eighty-one reports—fifty-nine local (city and county) jurisdictions, sixteen state, and one federal; in addition, there were two from Hawaii and one each from Puerto Rico, Canada, and Japan. They are listed separately below under the heading, "Reports Received."

## Light from the Local Level

As might be expected, a sizable stack of city-county reports yielded not only variety, but uniformity as well. Not everywhere did juvenile delinquency increase, but those areas reporting a decrease were generally happy in the thought that their good fortune was unique. Overloading and understaffing were as common as ever, as were trimmed-down budgets. And yet, here and there, important gains in recognition and financing were reported.

Statistical data, both raw and refined, generally included an accounting of procedure, operational steps, classifications, finances (particularly where collections and disbursements were concerned), and success and failure factors.

For present purposes, it is the unusual and not the routine that will be discussed. Some of those persons responsible for report preparation have used highly effective methods for attracting reader interest:

**JUVENILE DELINQUENCY  
UP 30% IN ESSEX COUNTY  
NEW JERSEY CRIME  
RISES IN 5 OF 8 CATEGORIES**

These headlines shout at the reader of the Newark report as from the front page of a newspaper. This is followed by thumbnail descriptions of the work of each division within the department, clear tabular recapitulations, and some excellent graphs. Prepared by Thomas F. McGann, assistant chief probation officer under Joseph P. Murphy, and dedicated to the memory of Michael J. Ryan, "dean of probation officers in the state," the report ends with photographs of the entire organization.

Following the timely quotation, "Contagion and disease sometimes can be cured by a wonder-drug inoculation; delinquency can be cured only by the light of knowledge and education," Charles C. Dibowski points out in the Louisville report:

It was considered that delinquent behavior is produced by a failure to fulfill legitimate needs in children in the growth process, and that constitutional and environmental factors are both involved in the personality development of an individual.

Mr. Dibowski introduces his report with a few simple examples of the varying problems involved in the 5,375 cases handled in 1954. One of these is illustrated by a "police report on six children brought to the court as dependents":

On 6-13-54 at 3:15 a.m. John Doe, adult, father of said six children, went to blank address, Virginia Avenue, and found Richard Roe, adult, in bed with Mrs. Doe, mother of said children. Mr. Roe hit Mr. Doe on the head with an iron grate, seriously injuring him.

The mother had been away from home for some time and the children had not

been fed. The father stated that he had shot his wife in November 1953 and had not been living at home since that time. The children stated that Mr. Roe had been sleeping with their mother for the previous four nights.

Three more cases then follow as lead-ins to thirteen pages devoted to various tabulations reflecting the volume of such problems.

There is, of course, more significance to reports than the kind of introduction which will capture the interest of the reader. Effective ways of stating problems common to most correctional agencies and of "selling" concepts which will produce change and progress are of potential use to all who prepare reports. For instance, take the question of a long-forgotten misdemeanor offender as dealt with by Max Billman, chief of the adult probation department in Cincinnati, in a quotation from Judge Harry M. Fisher:

Our neglect of jail and house of correction inmates, our inattention to minor offenders, more than any other single cause tends to increase the volume of crime in this country. If for any reason we are unable to attempt the rehabilitation of all offenders committed to penal institutions and are bound to limit our efforts in that respect to only a part of them, then let us devote these efforts to the misdemeanor. For every felon reclaimed to law-abiding life, ten misdemeanants could be thus reclaimed, who, because of our neglect, ultimately become felons.

An especially good interpretation is to be found in Glenn Wallace's Santa Barbara report, which makes the point that "only 28 per cent of the entire number referred . . . can properly be labeled as 'delinquent.' Related to the total child population in the county, the number is just over one per cent. *This is the truly significant fact of this entire report on the juvenile division.*"

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From the opposite side of the continent, the thought is echoed by Judge Paul R. Kickliter in the Tampa report prepared by Ida C. Roch:

In Hillsborough County there are approximately 80,000 young people under the age of seventeen and under the jurisdiction of the juvenile court. One judge handles all the juvenile cases coming before this court. Of this 80,000 group there are approximately 50,000 in school. It is interesting to observe that out of this 80,000 last year, only approximately 2.5 per cent came to the attention of the juvenile court, which we feel is a healthy percentage in a county with a population of approximately 300,000.

More than one report puts money matters first; at some point, most capitalize on their collections role, the volume of which is generally many times greater than the operating budget of the agency. However, some expressions of professional and practical concern over this function were noted, as in the Sheboygan, Wis., report by Richard H. Jung:

Too much pressure on the parents from us would disturb our relationship with them and might so affect their feelings and attitudes that they would interfere with the treatment the child is receiving. A county board might feel it advisable to set up a program outside the probation department for collecting from parents who are ordered by the court to contribute toward the cost of their children's care in foster homes and institutions.

Bert R. Van Horn's report from Riverside, Calif., not only reflects good relations between staff and other agencies, but shows insight into a difficult phase of casework and collections:

The purpose of a probation department is not to collect monies except as these collections affect the social structure of a community and the individuals involved.

It is the means by which individuals who have failed to comply with the law, or who fail to assume their responsibility as citizens, are made to realize their obligations. Therefore, the success of a collection program in a probation department cannot be judged solely upon the amount of money involved, but rather upon the responsibility society places upon the individual who has been unwilling to assume his obligations.

While every organization has its special problems, there are some that appear to be unique. The Rapid City, So. Dak., report contains this summarizing excerpt from Gordon MacGregor's study of the society and personality development of the Pine Ridge Sioux:

The picture of [Indian] child personality which emerges from the tests is one of weakness of natural drives and spontaneity resulting from repressive forces set in action early in the child's life. This paucity of impulse and emotion appears to blight the creativity, imagination, and fantasy that are normal in a healthy mental life and to prohibit wholesome relationships with other people. Dakota child personality seems crippled and negative, as if it rejected life. The unfriendly environment, which offers so little opportunity or satisfaction, retards the growth of personality and prevents it from becoming positive, rich, and mature. Life is lived on the defensive.

Five hundred miles west Mrs. Clara Withee is juvenile officer for the four counties included in the Ninth Judicial District Court of Montana. She lists the following events and activities as typical of special services performed in addition to her regular duties:

1. Transient complains re boys shooting at his sheep wagon; referred to sheriff; boys apprehended; restitution met.
2. Request had for transfer of boy from one Indian school to another; referred to agency superintendent of education.

3. Visit to local pool hall; referred to county health officer and police.

4. Principal reports girl's maladjustment; visits; referred to M.D.

5. Adult involved with juveniles; referred to county attorney.

6. Radio cooperation had in locating runaway girl.

7. Cooperation with agency superintendent in reporting on Indian girl in custody of Cook County Court.

8. Judge and c.p.o. met with Tribal Council re need for juvenile detention quarters.

9. Checked on bars.

10. Conference with mayor and newly appointed chief of police.

In the Snyder, Texas, report, Bill J. Ballard makes a shrewd comment on recidivism:

A child who is on probation and is involved in further trouble may be telling us something other than 'Send me to the training school.' He may be telling us that whatever we are trying at the time is not what he needs and that we need to look farther and deeper into his problems or his environment than we have looked.

Less discussion of prevention was encountered than had been anticipated. However, James J. Gourley lays it on the line in the Paterson, N. J., report.

Your chief probation officer, after almost thirty years experience in this field of endeavor, feels certain that not only should every effort be put forth to preserve the structure of our home life, per se, but that if we are ever to stop paying mere lip service to the task of preventing juvenile delinquency and really "knuckle down" to facing this social problem, we will have to concentrate on adjusting and correcting familial problems before they create the atmosphere and conditions which breed distorted personalities and juvenile delinquents. This, of course, is not an original conclusion but is shared by most workers

who have had any extended experience with delinquents and their families.

This report also sets out in twenty brief and clear statements the extent of the probation department's responsibilities, about which the community and even its officials frequently know all too little.

In the Cumberland County (Carlisle), Penn., probation report, Irvin L. Groninger makes this valuable observation:

To have had only one previous offender reappear in court is the best indication of the effectiveness and value of your juvenile court and the over-all probation program. You note that I used the phrase "probation program" rather than probation office or department. This is because the program includes more than just the office; it includes the community as a whole. Without this extremely important community backing and cooperation an achievement such as this would not have been possible.

Several reports pay tribute to individuals who helped develop local programs. The one issued by the Family Court of Cook County and the Arthur J. Audy Home for Children (Chicago) acknowledges the great leadership of Mary M. Bartelme, first woman judge of Illinois and former judge of the Cook County juvenile court. The Ramsey County (Saint Paul), Minn., report honors Judge Carlton F. McNally on the occasion of the golden jubilee of the Saint Paul juvenile court.

James D. H. Reefer, probation officer for Kansas City, Mo., has the following to say about the causes of delinquency:

It is encouraging that today we are devoting much more of our thought and energies to the personality of the child, what his emotional development has been, and using these criteria in an effort to

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explain aberrant behavior. As we come to have a greater knowledge of human personality and its development, we may be in a better position to predict and consequently, to prevent, delinquency and crime.

From Judge Tom Willingham, in Rome, Ga., came this statement:

We deal with a wide variety of adult problems and adult miseries with a deep concern for the families involved. We can only hope that the adults who pass our way will be able always to accept our efforts in helping them to become better citizens and that they will learn a valuable lesson from their court experiences.

We never lose sight of the fact that a caseload is a group of human beings, and not a collection of numbers and names.

From John M. Loucks, chief probation officer in St. Lawrence County, New York:

The . . . statistics do not in themselves tell of the hopes, fears, and problems of the human beings involved with the law. Probation services are of paramount importance because they are so closely identified with basic human values. Your officers are aware of these responsibilities and hope for your continued interest in a department whose services will undoubtedly be more and more in demand as impending economic and sociological changes confronting the North Country materialize.

A novel feature of the particularly good report from San Diego is the inclusion of a paper prepared for a Western Probation and Parole Association conference by Eddie Wiegler, chief assistant probation officer. The following is excerpted from that paper:

The theory of probation is still being violently attacked by many individuals and groups, thereby making it imperative that extreme care be used in making recommendations to the court. Although

we may feel that the frequent reaction against probation is based on an emotional desire for revenge against any nonconformist in our midst, we must remember our obligation to protect society to the best of our ability.

The treatment program under probation and parole may be as great and as varied as the law permits, as the agency policies permit, and as the capacity of the individual officer allows him to understand the basic problems of his client. The degree of success in any treatment program is, of course, dependent upon the desire of the client to receive help, his willingness to face his problems, and his capacity to profit by the scientific treatment available.

### Big Time Operators

Turning away from the excerpts selected from the reports, one is confronted with certain documents from which limited samples could do but scant justice. A few reports have been received from some of the large local organizations of which there are now several in the United States. Where their publications are concerned, the fact of sheer bigness overshadows the reports of other court and probation services—a seemingly necessary concomitant of big operations. The 351-page report of the Municipal Court of Philadelphia for 1953 with its almost 250 tables (plus a few graphs) is a case in point. Its thoughtful interpretations and projections of data deserve direct and intensive study by any student of correctional administration.

The Los Angeles County Probation Department's attractive forty-ninth annual report of approximately fifty pages offers relatively few tables; the greatest reliance is placed on excellent graphs and charts where statistics are concerned. Those who are interested in the reorganization of a major agency in the correctional services field will do well to study this report of decentrali-

zation, expansion, refinement, and research.

Two reports representing probation departments in the California Bay area—Oakland and San Francisco Youth Guidance Center—are worthy of special attention. Both are well written and well arranged, with the former giving considerably more attention to interpreting program with word, picture, and chart, and the latter relying heavily on statistical tabulations.

Two of the most attractive and readable reports were received from the juvenile courts of Portland, Ore., and Tulsa, Okla. Both reports have illustrated covers and include action photographs to add emphasis to their content. Reports such as these are a good example of what can be done to inform and stimulate the interest of the general public.

### Role of the States

Alabama uses only eight pages of mimeographed tables to outline the story of the \$272,000 operation for the fiscal year ending September 30, 1954, during which, in addition to various other services performed, 1,713 paroles were considered, 3,641 presentence investigations were made, and 5,936 probationers were supervised.

On the other hand, the work of the California Adult Authority and Division of Adult Paroles is reported in a 72-page richly illustrated report for the biennium ending December 1, 1954. Two excerpts suggest the magnitude of this operation:

A recapitulation of the Adult Authority's workload and the number of varied actions taken during the period October 1, 1952 to and including September 30, 1954 shows that the number of cases heard totals 20,636, as compared with the

preceding two-year total of 16,875, an increase of 18.2 per cent.

The division has grown from the professional staff of 37 parole officers in 1944, to a total of 106 as of October of this year, exclusive of clerical help. Some of the more important changes that took place during this period were the gradual lowering of the average caseload per officer from 120 to 90, and the raising of specifications for parole officers, with a concomitant increase in salaries.

As of October 31, 1954, the total parole population under supervision in California was 5,579. Of this number, 635 were "out-of-state" cases being supervised in California under the rules and regulations of the Interstate Probation and Parole Compact. By comparison other states were supervising 654 parolees for California.

Published separately is the California Youth Authority report for roughly the same biennial period. It is also well written and generously illustrated (over fifty photographs and several charts). Its forty-six pages tell the story of the Youth Authority—its organization, administration, program, and resources. The work of the Board and of the Governor's Advisory Committee on Children and Youth, reception center-clinics, camps, schools, and institutions, field services for case-work, administrative consultation, and community organization are clearly described. Essential statistics are given in four tables: one of these is a breakdown of \$6,126,959 in operation costs and \$1,159,874 for capital outlay; another shows a resident population under CYA jurisdiction of 2,863 on June 30, 1954.

Those interested in "where the California version of the Youth Authority idea stands today" will find the good word in this latest document. Heman Stark, chairman and director of the Youth Authority, reports:

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During the period of this report the Department of the Youth Authority has achieved one of the major objectives of its founders. In 1953, legislation was enacted making the Youth Authority an independent department of state government and the director a member of the Governor's Council. This elevation to full departmental status has made it possible for the agency to more effectively represent and serve the needs of the children and youth of California.

Additional strength was given the Youth Authority Board by the same legislature through the increase of its membership from three to five persons. In accordance with the legislature's directive, the board now includes a woman representative and a member from the field of law enforcement.

Since its founding in 1941, the Youth Authority has had the support and assistance of a sympathetic governor and an understanding legislature. Through them, necessary funds have been appropriated to permit the department to keep pace with California's phenomenal growth.

The relatively brief Florida Parole Commission report for 1954 is a concise exposition of activities, services, and workloads. The all-important matter of costs and savings is exceedingly well stated:

Florida's probationers and parolees earned \$4,763,379.50 according to the supervision reports, as they took care of approximately 5500 dependents. Since the Commission's creation, probationers and parolees have earned more than \$40,000,000 at useful occupations. It should be pointed out that as an incident to their employment the probationers and parolees have paid out in taxes far, far more than the Commission has cost the citizens of Florida, to say nothing of the savings to the prison system through the release procedures. It might be pointed out in passing that had the 2290 probationers and parolees under supervision in Florida as of December 31, 1954 been in prison, the cost per day figured at the very nominal rate of \$1.25 per person

would have been \$2862.50, whereas the Commission cost the taxpayers of Florida only \$643 a day during the current fiscal year. In other words, the savings to the State of Florida from a purely economic standpoint, to say nothing of the intangibles of human values aided through the operation of the Commission, amounted, on the figures mentioned, to \$2219.50 a day, or \$810,017.50 for a year of 365 days. The appropriation made for this fiscal year by the 1953 Legislature gave the Commission \$235,000.

In contrast, the Iowa parole report lists the expenses to counties for criminal prosecution for every year from 1911 to 1954. In 1954, the figure was \$1,147,808.01, more than three times as much as the amount spent ten years before. Ironically, the Iowa custom of publishing names of persons whose paroles have been revoked and who have been returned to prison was not effective in deterring 117 such individuals from behavior which so resulted, nor has the listing of the "absconded and not apprehended" deterred forty others from absconding between July 1, 1952 and June 30, 1954.

Among the more significant facts reported in the cleverly illustrated report of the Mississippi Department of Public Welfare is the avoidance of temporary overnight care for 79 per cent of children due in court during 1953. Of the remaining 21 per cent who were not returned to their own home or regular place of abode before the court hearing, 19 per cent were placed in jail, "because no other detention facilities were available in the community."

A juvenile court report compiled by the Bureau of Community Services of the New Jersey Department of Institutions and Agencies shows that of more than 7,000 children awaiting adjudication in 1953, 72.4 per cent remained in their own homes, relatives' homes,

boarding homes, etc.; 24.9 per cent were placed in a detention facility; 0.7 per cent (47 children) were placed in a jail or workhouse; and the whereabouts of 2 per cent were not reported.

The twenty-page North Carolina Probation Commission report for 1952-54 emphasizes that one of the reasons for the encouraging drop in average caseload from 206 to 166 was the addition of four probation officers. Of interest also was the return of more than \$37,000 of probation department funds to the state because of "unavoidable delay in securing suitable personnel to fill the positions allowed under our appropriation." Director J. D. Beaty pays his respects to the universal problem of investigation work versus probation supervision as follows:

We believe the investigation work for the courts is important but we also believe that the only justification for our existence as a probation department is in the rehabilitation of those men and women who are placed under our supervision by the courts. Proper supervision can only be done through personal contact and work with the individual; hence the need for more time for this type of work and more manpower to do it. To allow more time for field work supervision, we have made every effort to reduce paper work and "red tape" to a minimum, consistent with the keeping of proper records.

After acknowledging the assistance of other agencies, organizations, and institutions, Mr. Beaty gives special thanks to the press:

Not being perfect nor claiming to be, but having made many mistakes for which newspapers of the state might have been disposed to "rake us over," we are most appreciative of the fact that in their writing of this department there has been an unusual degree of genuine understanding of the problems involved in this work. Their

editorials have almost without exception endorsed the work of probation in general and have supported the work of our officers in particular.

In accounting for the activities of Oregon's State Board of Parole and Probation for the biennium ending June 30, 1954, director H. M. Randall's report devotes considerable space to the NPPA survey of the Oregon agency made during 1952-53, which urged the appointment of a full-time salaried board and the expansion of the probation and parole staff. Certain subsequent increases in personnel were evaluated and acknowledged as follows:

It will be noted that the total number of cases considered by the Board during the year 1952-53 was 1,104. During the year 1953-54, 1,413 cases were acted upon by the Board, an increase of 36 per cent. Additions to staff, which allowed a greater number of cases to be prepared for Board consideration, was directly responsible for this increase. . . .

The enlargement of our institutional staff, coupled with the great improvement in the prison classification and counseling program, have provided the Parole Board with a wealth of material upon which to base the decision in each case.

Results of the expansion of our field staff are also reflected . . . by the reduction in the number of paroles revoked and the increase in paroles terminated. Both of these are brought about by increased casework made possible by lower and more realistic caseloads.

Compressed within six pages of the 150-page annual report of the Rhode Island Department of Social Welfare is an accounting of the activities of the Parole Board and of the Division of Probation and Parole. Interpretation of function, description of process, summarizations of caseloads and dis-

positions covered s

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positions, and fiscal operations are all covered succinctly.

The first page of the Texas Board of Pardons and Paroles report says, as in previous years: "Since the legislature has never appropriated the funds necessary for the operation of the [1947] Adult Probation and Parole Law in its entirety, the Board does not grant paroles. Instead, the Board *only recommends* various forms of executive clemency which the governor may grant or refuse." Later in the report the Board says again that it has "repeatedly requested of the legislature sufficient funds and personnel to set up a paid probation and parole system in the state of Texas," and goes on to the following statement:

Parole is not a reward for good conduct in prison. . . . It is based on the principle that training and treatment in prison are only a part of the correctional process which, to be complete, must be followed by a satisfactory local community adjustment. Such adjustment cannot be satisfactorily made by the parolee without the professional guidance of a trained parole officer; and without such protection, society is in danger of the parolee's repeating his offenses. Ninety-five per cent of those in prison will some day walk the streets again as free men, even if not granted clemency. Whether the public likes it or not, the people of Texas are going to be forced to live with this 95 per cent. Therefore, rehabilitation programs in prison and proper supervision while on parole are the greatest protection to the people of Texas.

The biennial report of the Bureau of Services for Children, Utah State Department of Public Welfare, attracts reader attention through the simple expedient of offering at the outset an actual case study—the case of a fourteen-year-old boy, his delinquent behavior, and the treatment afforded him—"one of 20,245 cases coming to

the attention of the juvenile court during the biennium." Regarding total program the Bureau's director, John Farr Larson, states:

The Utah Juvenile Court system is regarded by many as an ideal program. Because all children are dealt with on a uniform basis and under the philosophy of diagnosis and treatment, the Utah program is cited as desirable to copy. At the writing of this report only three states, i.e., Connecticut, Rhode Island, and Utah, have adopted a state-wide system. Of these, Utah was the first.

The organization of children's services, such as we have in Utah, is unique in the United States. Some readers may not know that the juvenile courts and the child welfare services of the State Department of Public Welfare are combined in the Bureau of Services for Children. This administrative relationship makes for close coordination of services in the interest of the individual children involved. Although operated as separate services, they can unite almost immediately in the interest of children.

The 152-page biennial report of the Department of Institutions of Vermont includes a nine-page section concerning probation and parole, stressing the need for adequate staff and resources, reporting services rendered, and offering lists and tabulations of staff assignments and cases handled.

The following statement on staff improvement procedures is to be found in the report of the Washington State Board of Prison Terms and Paroles for the biennium ending September 30, 1954:

As important as the number of parole and probation officers is their quality. The staff of the board is not yet under a state merit system and if officers with high qualifications are to be retained, security in the job must be provided. During this biennium the board set up a system of competitive



examinations for new parole and probation officers. A written examination was developed by a professional firm and each candidate was also required to pass a searching oral interview conducted by competent persons from outside the department. The board selected new probation and parole officers from among those persons with highest scores. Qualifications for applicants included a college degree and one year of casework experience.

The development of an organized training program has been a long-felt need. The addition of two supervisors during the biennium has strengthened in-service training. The departmental manual has progressed rapidly and should in a short time be well developed. The board is planning on the eventual addition of a training officer to facilitate professional growth.

All aspects of this program embracing both adult probation and parole are reported in considerable detail. This well-organized report is enhanced by several simple but effective charts.

### Uncle Sam

In his 1954 report, Henry P. Chandler, director of the Administrative Office of the United States Courts, devotes six pages of this weighty document to the federal probation system. In addition to a statistical accounting of matters handled and administrative changes effected, there is a forthright statement concerning personnel:

There is need for more general observance, in appointments, of the standards of qualifications recommended in 1942 by the Judicial Conference. These qualifications, aside from good character and health and suitable age, include a liberal education of collegiate grade and experience in personnel work for the welfare of others of not less than two years, or two years of specific training for welfare work in an appropriate school, college, or university.

### Fresh from the Islands

One of the most refreshing features of the reports reviewed is the commentary by Judge Gerald R. Corbett, Honolulu juvenile court, on excerpts from the Hendrickson subcommittee findings on juvenile delinquency. For example, in reply to public demands to "get tough":

Juvenile delinquency could be suppressed by "police-state" methods. However, it is extremely doubtful whether Honolulu, or any other truly American community, would be willing to pay the cost involved, either the cost in dollars or the cost in terms of the weakening of the fibers of our free democracy.

Regarding the effect of slum conditions on the incidence of delinquency:

In Honolulu, as elsewhere, we frequently encounter the "well-adjusted delinquent" who has fallen into the toils of the law simply because he has conformed—and quite naturally—to the standards of immorality and indecency and disrespect for property rights and the law which prevail in his home and his neighborhood. Such a youngster presents an acute problem, particularly in view of the virtual non-existence of suitable foster homes in which a "re-education" of the child can be attempted.

Thomas B. Vance, referee of the Honolulu court, makes this observation:

The broken home is not the main source of delinquency. Homes which are on the verge of breaking are the greater problem. Where the adults in the home are continuously engaged in a cold war, the effect on the child's emotional development is devastating.

Many more such sound and provocative observations, plus about fifty pages of tables and charts, are to be found in this document.

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**Reports Received****CITY AND COUNTY***California*

- El Centro, Imperial County Probation Office, 1954  
 Fresno, Fresno County Probation Office, 1954  
 Los Angeles, Los Angeles County Probation Committee, 1953  
 Los Angeles, Los Angeles County Probation Department, 1953-1954  
 Los Angeles, Los Angeles County Youth Committee, year ending June 30, 1954  
 Oakland, Alameda County Probation Department, 1953  
 Riverside, Riverside County Probation Department, 1953  
 San Diego, San Diego County Probation Department, year ending June 30, 1954  
 San Francisco, San Francisco Youth Guidance Center, 1954  
 Santa Barbara, Santa Barbara County Probation Department, 1953

*Florida*

- Clearwater, Pinellas County Juvenile Welfare Board, year ending Sept. 30, 1954  
 Tampa, Hillsborough County Juvenile Court Probation Office, year ending Oct. 1954

*Georgia*

- Columbus, Muscogee County Juvenile Court, 1954  
 Rome, Floyd County Juvenile Court and Adult Probation Office, 1954

*Illinois*

- Chicago, Family Court of Cook County and Arthur J. Audy Home for Children, year ending Sept. 30, 1954  
 Rock Island, Rock Island County Probation Office, year ending Dec. 1, 1954

*Iowa*

- Dubuque, Dubuque County Juvenile Division of Nineteenth Judicial District Court, 1954

*Kentucky*

- Louisville, Jefferson County Juvenile Court, 1954

*Michigan*

- Ann Arbor, Washtenaw County Probate and Juvenile Court, 1954  
 Kalamazoo, Kalamazoo County Juvenile Court, 1954  
 Muskegon, Muskegon County Juvenile Division of the Probate Court, 1954

*Minnesota*

- Duluth, St. Louis County Probation Office, 1954  
 Hibbing, St. Louis County District and Juvenile Courts Probation Department, 1954  
 Saint Paul, Ramsey County Probation Office, 1954

*Missouri*

- Kansas City, Jackson County Juvenile Court, 1949-1953

*Montana*

- Conrad, Ninth Judicial District Court (Glacier, Pondera, Teton, Toole counties) Juvenile Department, July 1950 to July 1954

*New Jersey*

- Atlantic City, Atlantic County Probation Office, 1953  
 Bridgeton, Cumberland County Probation Department, 1953  
 Cape May, Cape May County Probation Department, 1953  
 Newark, Essex County Probation Department, 1953  
 New Brunswick, Middlesex County Probation Department, 1953  
 Paterson, Passaic County Probation Department, 1954  
 Trenton, Mercer County Probation Office, 1953  
 Woodbury, Gloucester County Probation Department, year ending Aug. 31, 1954

*New York*

- Binghamton, Broome County Probation Department, 1954  
 Elmira, Chemung County Probation Department, 1954  
 New York City, Department of Correction, 1953  
 New York City, Magistrates' Courts, 1954  
 Ogdenburg, St. Lawrence County Probation Office, 1954

Olean, Cattaraugus County Probation Department, 1954  
 Patchogue, Suffolk County Probation Department, 1954  
 Rochester, Probation Bureau of City Court, Criminal Branch, 1954  
 Watertown, Jefferson County Probation Office, 1954

#### *Ohio*

Canton, Stark County Probation Office, Juvenile Division, Court of Common Pleas, 1954  
 Cincinnati, Hamilton County Probation Department, Court of Common Pleas, 1954  
 Springfield, Municipal Court Probation Department, 1954

#### *Oklahoma*

Tulsa, Tulsa County Juvenile Court, year ending June 30, 1954

#### *Oregon*

Portland, Multnomah County Juvenile Court, 1949-1953

#### *Pennsylvania*

Carlisle, Cumberland County Probation Office, 1953  
 Philadelphia, Department of Public Welfare, 1953  
 Philadelphia, Municipal Court, 1953  
 Philadelphia, Youth Study Center. May 1952 to April 1954

#### *South Carolina*

Spartanburg, Spartanburg County Children's Court, 1954

#### *South Dakota*

Rapid City, Pennington County Probation Office, year ending Dec. 31, 1954

#### *Texas*

Austin, Travis County Juvenile Court Probation Office, 1954  
 Snyder, Scurry County Probation Office, 1954

#### *Wisconsin*

La Crosse, La Crosse County Probation Office, 1953, 1954  
 Sheboygan, Sheboygan County Juvenile Probation Department, year ending Sept. 30, 1954

### STATE

Alabama Board of Pardons and Paroles, year ending Sept. 30, 1954  
 California Department of Corrections, biennium ending Dec. 1, 1954  
 California Department of the Youth Authority, biennium ending June 30, 1954  
 California Department of the Youth Authority, statistical summary, 1953  
 Florida Parole Commission, 1954  
 Iowa Board of Parole, biennium ending June 30, 1954  
 Mississippi Department of Public Welfare, Youth Court Statistics, 1953  
 New Hampshire Probation Department, biennium ending Dec. 31, 1954  
 New Jersey Department of Institutions and Agencies, Children in Juvenile Courts, 1953  
 North Carolina Probation Commission, biennium ending June 30, 1954  
 Oregon State Board of Parole and Probation, biennium ending June 30, 1954  
 Rhode Island Department of Social Welfare, year ending June 30, 1953  
 Texas Board of Pardons and Paroles, year ending Aug. 31, 1954  
 Utah Department of Public Welfare, Bureau of Services for Children, biennium ending June 30, 1954  
 Vermont Department of Institutions, biennium ending June 30, 1954  
 Washington Board of Prison Terms and Paroles, year ending Sept. 30, 1954

### FEDERAL

Administrative Office of the United States Courts, year ending June 30, 1954

### TERRITORIAL

Hawaii Board of Paroles and Pardons, year ending June 30, 1954  
 Hawaii, Honolulu Juvenile Court, 1953  
 Puerto Rico, Report of the Attorney General, year ending June 30, 1952

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Canada: Juvenile and Family Court, Simcoe County, Ontario, 1954  
 Japan: Supreme Court General Secretariat, Outline of the Japanese Family Court, 1949-1953

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# Legislation and Court Decisions, 1954

SOL RUBIN

*Counsel, National Probation and Parole Association*

**T**RENDS in correctional law cannot be fairly formulated by a single year's new laws and judicial decisions. The following summary of legislation enacted in 1954 and recent appellate court decisions of general interest or effect in the fields of juvenile delinquency and adult corrections shows a contrast: in some states, tight control of offenders; in others, liberal policy.

In Georgia a decision and legislative action invalidated the exclusive jurisdiction of the juvenile court; in North Dakota the Supreme Court upheld the juvenile court jurisdiction as against the police court. Rhode Island improved its suspension of sentence statute, and Kentucky now permits probation for felons; on the other hand, a Virginia amendment, authorizing partial suspension of sentence, permits a sentence in which imprisonment is a prelude to probation. A California opinion upheld a socially questionable revocation of probation, calling for legislative correction; another opinion in the same state took a liberal position with respect to an offender's civil rights. An Idaho case ruled a maximum life term as being cruel and unusual punishment and held it invalid; in Illinois and New Jersey the courts condemned the practice of denying parole flexibility through identical minimum and maximum terms, and a Maryland case reversed a revocation of probation which it felt to be socially unjustified.

Georgia parole legislation pulled away from legislative standards for

eligibility and privacy; but the Kentucky legislature authorized discharges from parole. In the courts, the confidentiality of parole board records was upheld in New York.

Other significant decisions relate to use of the juvenile court in making a custody investigation for another court, termination of parental rights, and the effect of parole law revision on previously sentenced prisoners.

In the juvenile field, a separate family court was established in East Baton Rouge, Louisiana, and in Sumter and Greenville counties, South Carolina. Revisions of acts were passed in Georgia and Kentucky. New Jersey established a permanent juvenile delinquency study commission. In adult corrections, Massachusetts revised its sex offender law, laws relating to good-time allowance, and pardon procedure. New Jersey established an advisory commission on lesser offenders and passed legislation relating to parole eligibility. Rhode Island established an advisory commission on correctional services. Legislation on issuance of parole violation warrants was enacted in New York.

As in the NPPA yearbooks, where it appeared in previous years, the digest is divided into three sections: (1) Juvenile and Domestic Relations Courts and Youthful Offenders, (2) Probation and Sentencing, and (3) Parole and Correction. Within each section new laws are listed first, followed by digests of recent decisions of interest.

Permission to use the library of the Bar Association of the City of New York, and the assistance of its librarians, Sidney B. Hill and Joseph L. Andrews, are gratefully acknowledged.

## Juvenile and Domestic Relations Courts and Youthful Offenders

### LEGISLATION

#### GEORGIA

*Transfer of Juvenile Cases to Criminal Court.*—The juvenile court law had authorized the transfer to criminal court of children sixteen or over who committed acts which, if committed by an adult, would constitute a crime. This provision was amended to authorize transfer as to children fifteen or over. The provision making the juvenile court jurisdiction exclusive was stricken.—Laws of 1953, November Session, Ch. 555. (See Jackson v. Balcom, Georgia, p. 65.)

*Contributing to Delinquency.*—An act defining the offense of contributing to delinquency or neglect and making it a misdemeanor was passed.

*Return of Juveniles from Training School to Court.*—Another provision of the same act provides that a boy fifteen years or over who has been committed by a juvenile court to the state training school for boys and has proved to be uncontrollable or unsuited to the school may be returned to the juvenile court for other disposition, including transfer to criminal court.—Laws of 1953, November Session, Ch. 555.

#### KENTUCKY

*Youth Authority Administration.*—The powers of the governing board of the Kentucky Youth Authority were recast, to place greater control in the

director and the commissioner of welfare. The director was declared subject to the policies established by the commissioner (who appoints him), rather than to the policies of the governing board. Administrative personnel of the authority shall be appointed by the director without the approval (formerly required) of the governing board of the authority. The governing board shall not determine policies but shall be advisory only to the commissioner and director; its responsibility to decide on dispositions of committed children is continued.—Ch. 185.

*Juvenile Court Law Revisions.*—A number of juvenile court law amendments affecting the Youth Authority were enacted, including provisions for (1) county payment for mental examinations, (2) transfer of a child to a circuit court to be tried as a felon (but not to be considered a felon for any purpose until convicted), and (3) enforcement of orders to parents to support children placed in other custody by the juvenile court.—Ch. 193.

#### LOUISIANA

*Family Court, East Baton Rouge.*—A separate family court with exclusive original jurisdiction in matrimonial actions and juvenile cases was established for the Parish of East Baton Rouge. The act provides for one judge of the court, initially appointed by the governor but thereafter to be elected as are the district judges.—Act 738.

#### NEW JERSEY

*Permanent Juvenile Delinquency Study Commission.*—The Juvenile Delinquency Study Commission was created to make a continuous study of the causes of juvenile delinquency and to prepare legislation to assist in the

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prevention of juvenile delinquency. Required to report annually to the governor and legislature, the commission consists of two senators and two citizen members (appointed by the president of the senate), two members of the general assembly and two citizen members (appointed by the assembly speaker), four citizen members appointed by the governor, and the commissioner of education ex officio. Terms of members are two years.—Joint Resolution No. 4.

## SOUTH CAROLINA

*Civil and Domestic Relations Court of Sumter County.*—The Civil and Domestic Relations Court of Sumter County was established. The act provides for a civil division of the court and a domestic relations division with jurisdiction over juvenile, matrimonial, and criminal cases relating to marital and parental responsibilities. Jurisdiction is concurrent with the court of common pleas. The judge is appointed by the governor on recommendation of the county bar association, for a six-year term at a salary of \$8,000. He is authorized to employ probation counselors and other court personnel.—Ch. 575.

*Juvenile and Domestic Relations Court for Greenville County.*—A Juvenile and Domestic Relations Court for Greenville County was established, to take the place of the present Children's Court. It is given exclusive original jurisdiction over children who generally come within the categories of delinquency and neglect (but the terms are not used), jurisdiction in other children's cases, and concurrent criminal jurisdiction over adults in cases relating to children. The circuit court, on petition, may remove certain serious felonies to itself for trial, and in any

case a child may be transferred for criminal proceeding where the act charged would be a felony or misdemeanor if committed by an adult. The judge is to be appointed for a four-year term by the governor on recommendation of an advisory board appointed by the county legislative delegation. The judge shall employ probation officers and other personnel as recommended by the advisory board and approved by the legislative delegation.—Ch. 744.

## DECISIONS

## GEORGIA

*Exclusive Juvenile Court Jurisdiction Held Unconstitutional.*—The 1951 juvenile court law granted exclusive jurisdiction to the juvenile court over children under seventeen committing delinquent acts. The child involved was under sixteen at the time an alleged rape was committed. He was indicted, tried, and sentenced to be electrocuted by the superior court, without hearing and transfer from the juvenile court, as required by the 1951 act. It was held that the superior court was not deprived of jurisdiction by the 1951 act. "Should any of the provisions of the Juvenile Court Act of 1951 have been intended to withdraw the jurisdiction of the superior courts to try an offender, within the age of accountability under the law, for an offense punishable by death or life imprisonment . . . such provisions would be unconstitutional and could be given no effect. . . . There is nothing in the act which would have the effect of repealing Code Sections 26-301, which states the age of criminal responsibility to be 'fourteen years, or before that age if such person knows the distinction between good and evil.'"—*Jackson v. Balcom*, 210 Ga. 412, 80 S.E. 2d 319. (The decision was

incorporated in revision of the juvenile court act; see p. 64.)

*Investigation by Juvenile Court Not Admissible in Custody Case.*—Judgment in the superior court fixing the custody of a minor child was based in part on an investigation by the juvenile court, made at request of the superior court. The Supreme Court of Georgia reversed, on the ground that the parties are entitled to be confronted by the parties against them—Moody v. Gilbert, 208 Ga. 784, 69 S.E. 2d. 874.

#### NORTH DAKOTA

*Juvenile Court Jurisdiction, Exclusive as against Police Court.*—The exclusive jurisdiction of the juvenile court, under the statute, was challenged by the City of Minot, whose police magistrate took pleas of guilty to disorderly conduct from boys within juvenile court age. The city contended that, under the state constitution, the juvenile court law could not infringe on the jurisdiction of the police courts. The constitution provided that the legislature shall provide for police magistrates, with jurisdiction over violations of municipal ordinances. The Supreme Court of North Dakota, two judges dissenting, upheld the juvenile court jurisdiction on the grounds that generally and under the state constitution the cities were subject to legislative control, including control over ordinances; that the legislature has power to define crimes and fix penalties and the age of criminal responsibility; that juvenile court proceedings are not criminal; and that the act does not purport to confer jurisdiction on the juvenile court in any cases arising under ordinances, or to authorize the juvenile court to pronounce sentence for the violation of such ordinances.—State v. Gronna, 59 N.W. 2d 514.

#### WASHINGTON

##### *Termination of Parental Rights.*—

The juvenile court had permanently terminated the rights of both parents as to their four children, found to be dependent, making findings that the father had acted brutally and sadistically, and was incapable of rearing a child, and that the mother had condoned the father's mistreatment of the children. The Supreme Court upheld the order as to the father, and for all of the children, stating that "where the finding of dependence and the need of removing the children from the custody of their parents is based upon a showing as to the personal traits and characteristics of the parents, we do not believe that there must be specific findings relative to the welfare of each individual child. . . . A father does not have the privilege of inflicting brutal treatment upon each of his children in succession before they may individually obtain the protection of the state." The principal basis of the juvenile court's finding as to the mother was failure to intercede while the oldest child was being beaten. The Supreme Court held that the findings as to the mother were such as to leave room for the hope that she might be able to resume her maternal duties later, and that therefore she should not have been permanently deprived of her parental rights. The court's opinion included the caution that "it would have been preferable had the findings been entered in more detail so as to indicate, for example, the circumstances which led the court to find that the father is a brutal and sadistic person and that the mother has not manifested maternal interest in the children."—In re Miller, 242 P. 2d 1016, 40 Wash. 2d 319. Similarly, In re Sickles et al., 252 P. 2d 1063.

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## Probation and Sentencing

### LEGISLATION

#### KENTUCKY

*Probation of Felons Authorized; All Probationers Supervised by State Division.*—The probation act barring felony offenders from eligibility for probation was amended to provide that they cannot be placed on probation until an investigation report is presented to and considered by the court. The act also adds the provision that all defendants placed on probation shall be under the supervision of the Division of Probation and Parole—Ch. 67.

#### MASSACHUSETTS

*Treatment of Sex Offenders.*—The 1947 sex offender law, dealing with "sexual psychopaths," was completely revised. The new act provides for a treatment center in the department of mental health for convicted sex offenders as defined in the act. The act becomes operative when the commissioner determines that the treatment center is adequately staffed for its purposes. The term "psychopath" was dropped. Prior to imposing sentence on sex offenders, courts may commit them to the center for up to sixty days for examination, diagnosis, and special treatment. A report must be returned to the court before sentence.

If committed as a sex offender, the prisoner must be transferred from the penal institution to the treatment center. On application to the superior court a prisoner in any state or local institution may be sent to the center for study; if, in a special proceeding for the purpose, he is found to be a sex offender, he shall be transferred to the center. Periodic examinations are required during the prisoner's stay at the center; on discharge at the end of his

term, out-patient care may be required. Voluntary admissions are also provided for, and victims of sex offenders may have the benefit of the facilities of the center at the discretion of the commissioner of mental health.—Ch. 686.

#### NEW JERSEY

*Advisory Commission on Lesser Offenders.*—Because of the great disparity in the rate of commitments to county jails, the possibility that there may not be proper use of probation for these cases, and the widespread idleness of the prisoners, an Advisory Commission on Lesser Offenders has been established, consisting of a senator (designated by the president of the senate), an assemblyman (designated by the speaker of the general assembly), and the following designated by the governor—a municipal magistrate, a prosecutor, a superior court judge, a county court judge, a freeholder, a sheriff, a representative of the Department of Institutions and Agencies, a probation officer, and a chairman having special training and qualifications in the field. The commission is to report to the 1955 session of the legislature.—Joint Res. No. 10.

#### RHODE ISLAND

*Suspension of Sentence and Probation for Misdemeanors.*—The district courts, which have jurisdiction over misdemeanors, are authorized to suspend imposition of sentence and to place defendants on probation. The law previously utilized probation as a step prior to sentence, under which a defendant could not appeal from the conviction unless there was a charge of violation of probation. Under the new provision, on a violation, the court may impose a lesser sentence than was originally imposed, or may continue the suspension of sentence.—Ch. 3362.

## VIRGINIA

*Partial Suspension of Sentence.*—The suspension of sentence statute was amended to authorize suspension of part of a sentence.—Ch. 141.

## DECISIONS

## CALIFORNIA

*Revocation of Probation—Representation by Counsel where Imposition of Sentence Was Suspended.*—Probation was revoked in a summary hearing, no witnesses being called and defendant not being represented by counsel. California law does not require a hearing or the calling of witnesses preceding revocation of probation. However, a sentence had not been imposed at the time of the original judgment, and defendant was not then represented by counsel. The Supreme Court of California returned the defendant to the trial court for sentence on the ground that the probation revocation and sentence were invalid for failure to inform the defendant of his right to counsel at the time of arraignment for sentence.—Ex parte Levi, 244 P. 2d 403, 39 Cal. 2d 41.

*When Defendant May Be Committed on Revocation of Probation.*—The defendant was convicted of attempted robbery in 1936. Imposition of sentence was suspended, and he was placed on probation for a term of ten years. In 1937, in his absence, a report of violation of probation was filed for failure to report monthly to the probation officer, probation was revoked, and a bench warrant was issued. No further action was taken for fifteen years. Throughout this period, during which the defendant married and became the father of four children, he violated no law and apparently did not know that probation had been revoked. In 1951 he was sentenced to the state

prison for the term prescribed by law. The defendant contended that the term of probation had expired and that the court had lost jurisdiction to sentence him. The District Court of Appeal (two judges dissenting) upheld the revocation on the ground that after probation has been revoked there is no limit of time within which sentence can be pronounced. However, it called on the legislature to remedy the manifestly unjust effect of the law.—People v. Brown, 244 P. 2d 702, 111 Cal. App. 2d 406.

*Civil Rights Restored on Completion of Probation.*—The California constitution provides that no person convicted of an infamous crime may exercise the privileges of an elector. The Penal Code (Section 1203.4) provides that when a defendant has fulfilled the conditions of his probation for the entire period or has been discharged prior to the termination of the period of probation, the plea of guilty may be withdrawn or the guilty verdict set aside and all penalties and disabilities may be removed. The right of the defendant to vote, after the record was expunged under Section 1203.4, was upheld. The opinion of the District Court of Appeal, sustained in the Supreme Court, stated: "The Attorney General suggests that our interpretation would result in the situation that a person on probation would continue to be entitled to vote and that neither the People nor the Legislature intended this result. Fundamentally, there does not appear anything wrong in not taking away the franchise of a person on probation who is behaving in such manner that on the termination of his probation by proceedings under Section 1203.4 he would be entitled to continue to vote. If he fails to fulfill the terms of his probation it can be revoked and then because of the sentence, the

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Constitutional inhibition would apply."—*Truchon v. Toomey*, 116 Cal. App. 2d 736, 254 P. 2d 638, 36 A.L.R. 2d 1230.

#### IDAHO

*Construction and Validity of Indeterminate Sentence Statute; Cruel and Unusual Punishment.*—The defendant was indicted for committing lewd acts on a child under sixteen years of age. The statute defining the offense (Section 18-6607) provided that a defendant convicted of the act "shall be imprisoned in the State Prison for a term of not more than life." The Idaho indeterminate sentence law provides that on conviction of felony, sentence of imprisonment shall be for an indeterminate period of time, the judgment being for the maximum provided by law. (Prior to 1947 the court fixed both a minimum and a maximum term within statutory limits.) The defendant demurred to the indictment on the ground, among others, that a life sentence for such an act constituted cruel and unusual punishment. The district court judge sustained the demurrer and discharged the defendant. On appeal by the state, the Idaho Supreme Court stated: "Cruel and unusual punishments were originally regarded as referring to such barbarous impositions as pillory, burning at the stake, breaking on the wheel, drawing and quartering, and the like. But it is now generally recognized that imprisonment for such a length of time as to be out of all proportion to the gravity of the offense committed, and such as to shock the conscience of reasonable men, is cruel and unusual within the meaning of the constitution. [Cases cited.]" The court compared the Idaho penalty with that in other states for the same crime, finding none equal to its own. "If our statute were con-

strued as the parties assume, it would make mandatory a punishment not only greater, but far greater, than in any other jurisdiction to which our attention has been directed. It need not be argued that a penalty greater than has ever before been imposed is at least unusual. . . . Acts of a more or less trivial nature are within [the statute's] broad terms. Life imprisonment for such offenses would be cruel and unusual punishment. . . . We are, therefore, faced with the alternative of declaring the act unconstitutional or so construing it as to comport with that instrument. . . . To construe Section 18-6607 as requiring or permitting the district judge in imposing sentence to fix the maximum, and that it may be less than life, is a reasonable construction." Two judges dissented; one would strike down Section 18-6607 as unconstitutional (compared with other offenses, it authorizes "grossly disparaging sentences" and would therefore not provide all persons with the equal protection of the law; it requires cruel and unusual punishment; it is indefinite); the second judge would strike it down because even under the construction of the majority of the court, a district judge could still sentence for life, a punishment which would constitute cruel and unusual punishment.—*State v. Evans*, 245 P. 2d 788, 73 Idaho 50.

#### ILLINOIS

*Identical Minimum and Maximum Terms.*—Under the indeterminate sentence law, a sentence with both a minimum and a maximum of life imprisonment was held to be invalid. Cited in support of the position taken were cases in Alabama and Montana, and a contrary ruling in New Mexico was noted. (The case is the subject of a note in 29 A.L.R. 2d 1341.)—*People*



v. Westbrook, 411 Ill. 301, 103 N.E. 2d 494. (See State v. Moore, New Jersey, below.)

#### MARYLAND

*Probation Revocation for Violation of Law, Reversed.*—Defendant, one of several members of a political party sentenced for conspiracy to disturb the peace, was placed on probation, one of the conditions being that he conduct himself in a law-abiding manner, and avoid places or association with people which might easily lead to offenses against the law. During the probation period the defendant was convicted of illegally posting a public sign, a misdemeanor. The courts (the police magistrate who convicted of the new offense, the Supreme Bench of Baltimore City which revoked probation by reason of the new offense, and the Court of Appeals) faced an anomalous situation. Referring to the law allegedly violated, the Court of Appeals said: "While it is not a dead letter and should be enforced, it is a matter of common knowledge, and an obvious fact to which we are unable to close our eyes, that at the time of each election, almost every telegraph pole in the state is plastered with signs advocating one or more candidates for office. . . . Such signs are also commonly seen at such times on houses and buildings of all kinds, especially those which are vacant, as was the one on which the poster was attached in the instant case." The question of the second violation of law was not at issue, but the Court of Appeals held that the violation was not sufficient to justify a court in holding that the defendant had not been conducting himself in a law-abiding manner. The court took into consideration that the no-posting statute is generally neglected; that "it is not the conviction

but the thing itself he was doing which must justify the revocation"; and compared the violation to a parking offense. It said: "To hold that merely because a man attaches a poster to an unoccupied building, he therefore ceases to be law-abiding and must be locked up for three months is, on its face, somewhat shocking. . . . A parolee is not expected or required at once to achieve perfection. If his conduct is that of the ordinary well-behaved person, with no more lapses than all people have, with no serious offenses charged against him, and with no indication that he intends in the future to pursue the course which led to his original conviction, the courts and probation officers should not seek for unusual and irrelevant grounds upon which to deprive him of his freedom."—*Swan v. State*, 90 A. 2d 690.

#### NEW JERSEY

*Minimum-Maximum Sentence.*—The defendant was sentenced to a term of not less than nor more than ten years, and contended through application for writ of habeas corpus that the sentence was illegal. The Appellate Division of the Superior Court rejected the appeal as having adopted an incorrect mode of review. However, it said: "Imposing minimum and maximum terms of sentence identically alike operates as a restriction against the exercise of powers of parole delegated exclusively to the State Parole Board. It withdraws from that Board the consideration and the discretionary authority to determine that the prisoner has rehabilitated himself and is worthy of return to normal association with society and in the event of misbehavior to reincarcerate him. It is tantamount to a direction that at the expiration of the minimum sentence the prisoner must be released regardless of his state of

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rehabilitation, a direction which is not only akin to an encroachment upon the authority of the State Parole Board to determine such questions, but also contrary to the modern conception that the major purpose of the imposition of a punishment for criminal wrongs is reformation, rather than the old and now discredited theory of atonement. . . . If such a sentence as here imposed were permitted, it would quite conceivably tend to thwart the legislative intentment of the parole system and remove the prisoner from the supervision of the Parole Board during that time which he is released upon parole and under surveillance until the expiration of time equivalent to the maximum prison term. In effect, it would shorten that period of supervision by the Board in those cases where a prisoner is released by commutation of sentence and completely eliminate that supervision in cases where no commutation is earned and directs the prisoner's discharge at the expiration of the minimum term."—*State v. Moore*, 21 N.J. Super. 419, 91 A. 2d 342. (See *People v. Westbrook*, Illinois, above.)

## Parole and Correction

### LEGISLATION

#### GEORGIA

*Fourth Offender Ineligible for Parole.*—A fourth felony offender is ineligible for parole.—Laws of 1953, November Session, Ch. 730.

*Parole Hearings to Be Public; Other Information Held Confidential.*—The 1943 parole law was amended to provide that information received by the board shall be confidential, unless otherwise provided by board resolution. However, a further provision declares that all hearings required by the act shall be public and that the

rule of confidentiality shall not apply to them.—Laws of 1953, November Session, Ch. 701.

#### KENTUCKY

*Discharge from Parole.*—The Department of Welfare was authorized to grant final discharges from parole, presumably prior to expiration of the term of sentence.—Ch. 66.

#### MASSACHUSETTS

*Good-time Allowances Not Earned on Parole.*—Parolees, formerly entitled to earn good-time allowances while on parole, no longer can do so. In addition, if a parolee commits a felony while on parole, deductions earned in prison are forfeited.

*Pardon Procedure.*—The act also affects the pardon procedure, making the parole board an advisory board of pardons, which must receive all petitions for pardon, give notice to various officials, and forward its recommendation to the governor.—Ch. 567.

#### NEW JERSEY

*Parole while Fine Unpaid.*—If an inmate is eligible for parole or has served his maximum term but a fine or costs remain unpaid, the parole board may release him through the probation office of the county from which he was committed, on condition of payment of the fine or costs in weekly amounts to be fixed by the board. Parole may be revoked for failure to make the payments.—Ch. 223.

*Parole Eligibility.*—Prior to this new act a third offender prisoner in New Jersey had to serve three-quarters of his maximum term, less credit for work assignments, to become eligible for parole. On terms of over eight years, the maximum less credits for work and good behavior reduced the term to less than the parole eligibility time.

Such prisoners were not eligible for parole. To make them eligible, the parole law was amended to give second and third offenders credit for commutation time as well as work assignments in computing the half (for second offenders) or three-quarters (for third offenders) of the maximum terms, the times required for parole eligibility.—Ch. 97.

#### NEW YORK

*Parole Violation Warrants.*—An amendment to the parole law authorizes the parole board to delegate the issuance of warrants for the retaking of alleged parole violators.—Ch. 152.

#### RHODE ISLAND

*Advisory Commission on Correctional Services.*—There is established within the Department of Social Welfare a five-member unpaid Advisory Commission on Correctional Services. The members are to be appointed by the governor for staggered terms of five years. The commission has no administrative duties, but it may make investigations and is charged with the periodic duty of making evaluation of the administration of correctional services in the state.—Ch. 3287.

### DECISIONS

#### MICHIGAN

*Time of Revocation of Parole.*—The prisoner was sentenced in 1930 (in Michigan) to a term of two to fifteen years. He was paroled in 1932 with the understanding that he would report to Dr. Lyon of the Central Howard Association as parole adviser and would work for a Chicago firm. He told his adviser that he had reported for work, although in fact he had not. He also

failed to report monthly to Dr. Lyon, in violation of the terms of his parole. In 1932 Dr. Lyon advised the parole board of the violation, and a warrant was issued in 1933. The parole authorities knew nothing further of the prisoner's whereabouts until 1947, when it was found that he had been convicted of three other felonies in Illinois and was incarcerated there. A warrant was lodged with the Illinois authorities and he was returned to prison in Michigan. The prisoner claimed that his original term expired in 1945 and that parole could not be revoked thereafter, citing *Com. ex rel. Tate v. Burke*, 364 Pa. 179. (See *NPPA 1950 Yearbook*, p. 258.) The Pennsylvania statute was differentiated from the Michigan statute; and an Illinois ruling (*U.S. ex rel. Howard v. Regan*, 59 F. Supp. 374) was distinguished in that it was predicated on the fact that the Illinois authorities knew of the defendant's whereabouts but failed to act, whereas here nothing was known of the defendant's whereabouts (so far as the record shows).—*Ginovalli v. Frisbie*, 336 Mich. 101, 57 N.W. 2d 457.

In a second similar case in Michigan the Supreme Court ordered a parolee discharged on the ground that the parole authorities had the knowledge and opportunity to revoke, but failed to do so to avoid the expense of transporting the prisoner.—*Colon v. Bannon*, 337 Mich. 491, 60 N.W. 2d 431.

#### NEW JERSEY

*Effect of Parole Law Revision on Previously Sentenced Prisoner.*—The New Jersey parole act was changed in several ways by amendment in 1948. The prisoner, sentenced in 1946, demanded that he be considered under the former act, which gave prisoners

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the right to appear before the then Board of Pardons every two years for parole consideration. Under rule of the new board, inmates incarcerated before 1948 are considered for parole every two years on petition only. It was held that the petition requirement is merely procedural.—*Zink v. Lear*, 28 N.J. Super. 515, 101 A. 2d 72.

## NEW YORK

*Inspection of Parole Board Records.*

—In a mandamus proceeding it was sought to compel the board of parole to make available for inspection (1) the records relating to the board's consideration of a prisoner for parole and (2) a copy of the communications received or a list of the names of persons (other than physicians and clergymen) communicating with the board relating to such consideration. The court cited the section of the law authorizing the board to make rules respecting the privacy of records, and the board rule pursuant to this au-

thority, specifically cloaking with privacy the social, physical, mental, psychiatric, and criminal records of persons released on parole. It held that the board had no discretion to disclose pre-parole records, and had discretion to disclose or withhold records following parole. It was urged that an exception be made because of the public interest: the prisoner was a public figure, and the issue of his release had been introduced in a political campaign. The court refused mandamus, stating that "The public interest is far better served by the preservation of a sound and well-established parole system. . . . The impartial and intelligent discharge of its duties by the Board of Parole requires it to obtain information which in many instances it can only obtain upon the assurances that such information is confidential." The court cited NPPA's brief *amicus curiae*.—*Jordan v. Loos*, 204 Misc. 814, 125 N.Y.S. 2d 447, affirmed 283 A.D. 983, 130 N.Y.S. 2d 904.

# Letters to the Editor

## An Answer to Lewis Diana

March 23, 1955

TO THE EDITOR:

Though the role of social work and its techniques has become generally accepted in the modern court setting, there are still some persons who maintain that it has no value in the correction and prevention of crime. Among the most extreme of these dissenters is Professor Lewis Diana, whose "Is Casework in Probation Necessary?" in the January, 1955 issue of *Focus* not only held that social casework in probation is valueless, but contended positively that it is a hindrance. His article purports to be an analysis of 280 probation cases in a Pennsylvania juvenile court, comparing those in which casework technique was allegedly used to those in which it was not used. The conclusions of his study were drawn from a comparison of these two groups as to subsequent criminal career.

While it is true that there is still some legitimate question about the probation caseworker's *precise* role, we do not feel that the article in question presents him in an accurate light; and, for the following reasons, we do not believe that the conclusions drawn in the article are valid:

1. The method of classifying the data was subjective and prejudiced.
2. The criteria for determining probation success were not valid.
3. The statistical methods used were inapplicable to the context of the study.

### Classification of Data

No study in which data are classified largely by subjective impression

can be valid. But Professor Diana's decisions to place cases in one category or another—"(1) routine reports, (2) a definite plan of treatment, and (3) casework techniques"—were admittedly based on personal judgment, inference, and guesswork. (The figures after the excerpts below refer to page and column numbers of his article.)

The decision to place a particular case in any one category depended upon personal judgment. (p. 1, col. 2)

Obviously, in trying to learn from a case record how the probation officers treated a child during his period of probation, one must rely upon inference and personal judgment. (p. 2, col. 1)

The only category which largely eliminated guesswork was the second. (p. 2, col. 1)

The decision as to whether or not interviews were intensive again had to depend on inference and personal judgment. (p. 2, col. 2)

We can only conclude that Professor Diana was either ignorant or unafraid of the dangers created when an observer allows his personal prejudices to influence his classification of data.

Furthermore, his implied definition of casework is highly unsatisfactory:

The use of casework techniques was assumed if the contacts with a child appeared to consist of intensive interviews whether or not they were built around any plan of treatment and whether or not there was stated any theory or diagnosis attempting to explain the child's behavior. (p. 2, col. 2)

If there seemed to be an attempt to get at the child's motives, attitudes, and beliefs, and if there was any evidence that the probation officer encouraged the probationer to express himself in any way he wished, then the interview was classified

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as intensive and as utilizing a casework process. (p. 2, col. 2)

Casework is an organized discipline with specific and prescribed working tools. Random interviewing without diagnosis or plan of treatment cannot be construed as casework.

We question further whether the cases classified as having been handled with casework techniques were in practice so handled. "Each delinquent on probation," we are told, "saw his probation officer once about every three months." In casework treatment the relationship between the caseworker and the client is of prime importance; infrequent and spasmodic contacts cannot be termed casework treatment.

#### Criteria for Success or Failure

The criterion for success or failure in probation is suggested in the following sentence:

Yet the number of delinquents who later become criminals was less among those who had the *fewest* contacts with their probation officers. (p. 3, col. 1)

A second criterion was used in the discussion but did not affect the statistical treatment of data:

A comparison of the work done in those cases in which the prognosis was poorest showed that whether casework was or was not used . . . made no difference in the success achieved. (p. 4, col. 1)

These criteria do not take into account the practical situation characteristic in juvenile courts, a condition which makes applicable the old adage, "The squeaky wheel gets the grease." The most seriously disturbed youngsters necessarily consume a disproportionate share of the caseworker's time. A similar situation has been observed in our elementary schools,

where most of the teacher's time is given to a small percentage of the children. Most children, fortunately, can learn without intensive supervision; but no one concludes that therefore teachers are not necessary or need not be well trained. Similarly, one does not judge the proficiency of a geriatrician by the number of deaths among his patients. Cases which have deteriorated to a point where they are far beyond help through treatment in a juvenile court setting cannot yield statistical data worthy of analysis.

Finally, we wonder if one should use a criterion for success or failure which does not account for the degree of adjustment of the individual but takes note only of those who are caught by the law.

#### Statistical Methods Inapplicable

The chi-square test referred to by Professor Diana is used by statisticians to find out to what extent a random sample is representative of the population from which it is drawn. But, as we have shown, the data in question were not derived from a random sampling.

There are situations where common sense tells us that statistics can be very misleading. For example, suppose we were to compare the adult criminal records of those who had been in juvenile court with those who have not. An analysis such as the one presented in the article could then be used to "prove" that juvenile courts produce criminals. Or suppose that persons who were brought to court and almost immediately dismissed were compared with those who are retained for a long time on probation. We could then produce the equally nonsensical conclusion that probation is harmful.

Only 10 per cent of the probation officers interviewed had a master's or a social work degree. Judging from what Professor Diana has written, we doubt that casework methods were applied in any of the cases he describes. (According to his figures, 39 of the 280 probationers received—he guesses—some form of casework treatment; 241 did not. Subsequently, as adults, 36 of the 39 and 199 of the 241 had no criminal record.) If the conditions in the court where he made his study were typical of some others we have seen, we are even more certain that there simply was not enough time to do adequate casework. His conclusions that "casework is . . . unessential in correctional work" and that "those who have no casework background are . . . as competent as those who do" are difficult to accept.

### Training for Probation Work

Professor Diana's antipathy toward social workers and psychoanalytic theory did not prevent him from using the words of a psychoanalytically oriented pioneer in the treatment of delinquency, but apparently it was strong enough to keep him from supplying the beginning and the end of the quotation from August Aichhorn's *Wayward Youth* (p. 7 in the article, p. 37 in the book), which would have changed the effect of the excerpt. The first sentence of the passage, omitted, serves to set the tenor of the comment, and the last two sentences, also omitted, reveal that Aichhorn was telling social workers to be prudent in applying their knowledge and not to go overboard: "If you observe carefully the effect of your therapy step by step, you are sure to find in the course of the treatment the

deeper problems which must be solved. You should not be disturbed if everything is not cleared up; even the worker thoroughly trained in psychoanalysis still finds many things he cannot explain."

Professor Diana implies that nothing more is required of a good probation officer than a sympathetic manner and "interview techniques" which "can be taught . . . and strengthened by on-the-job training once a worker is hired." We agree with his noncontroversial conclusion that the worker's personality is all important, but we disagree with his contention that personality is enough or that augmentation by "training in the social sciences" will be sufficient. Those who have received advice from sympathetic counselors who did not understand the real problem know full well how meaningless such counsel can be. We contend, with Aichhorn, whose book discusses "the application of psychoanalysis to the treatment of delinquent youth," that general training in the social sciences is not enough.

Educational work [says Aichhorn] is an art, in which intuition is of primary importance. This holds true in greater measure for remedial training than for general education. The more intuitively the worker grasps the difficulties of his charge, the more successfully he works. It must be granted that technical skill derived from a definite knowledge of the normal predictable course of mental processes enhances the efficacy of his work. When the psychic mechanisms revealed by psychoanalysis are familiar to the educator, what has been intuitive understanding becomes a conscious recognition of the forces involved.

The educator often overvalues the significance of psychology for remedial training. For well-rounded work, he must take into consideration many other factors,

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Ordinary training in the social sciences is only a *prerequisite* to additional training, which must be psychiatrically oriented because the problems of juvenile delinquents are problems of human adjustment. The psychiatric orientation alone, of course, is not enough. The delinquent child is constantly engaged with society in an incessant sequence of interactions and reactions, and the probation officer must understand how these sociological, economic, and cultural factors work. But the psychoanalytic view is the underlying, basic, differentiating, and necessary view for successful probation work.

Aichhorn has written of this matter so succinctly that we cannot refrain from one more quotation:

We now know that we cannot content ourselves with the first superficial statements about a case such as 'A boy has stolen and run away.' We must learn the exact circumstances. Nor is it sufficient for discovering the causes of the delinquency to question the boy, the parents, and others in the environment, since they do not know the real significance of the dissocial behavior. Without psychoanalytic training the worker cannot unearth these hidden factors. In the case of our boy, nothing could have been accomplished with kind words or with punishment; either course would have aggravated his hate impulses.

It is clear that Aichhorn would not have agreed with either Professor Diana's misquotations or his conclusions.

SUE TRIBUS

*Social Caseworker, Student Health Service*

MYRON TRIBUS

*Associate Professor of Engineering  
University of California, Los Angeles*

## Rejoinder

May 4, 1955

### TO THE EDITOR:

The Tribuses disparage the value of subjective impressions although they work or have worked in fields which rely heavily upon their use. At the same time, in their "answer" to my article, subjectivity and prejudice alone serve as their criteria for pronouncing my conclusions invalid. Faulty logic and highly questionable assumptions riddle their reply. Furthermore, they ascribe to my study characteristics which it does not possess:

1. If, as they maintain, the role of social work and its techniques has become generally accepted in the modern court, that alone does not establish its value, nor does it obviate the need for questioning its value.

2. If my position as a dissenter is extreme (and I do not deny it), perhaps it stems from the extremes of casework. In any event, I do not contend positively that casework is a hindrance—although in some instances it very well may be.

3. The data in my study were not classified largely by subjective impression. Apparently, if one does not admit to being subjective, he takes less risk of criticism on that account.

If subjectivity, guesswork, and the use of inference were eliminated from the process of classification, it would be necessary to discard the conclusions of Healy, the Gluecks, and many others. Classification isn't a process inherent in nature, but was developed by man; it consists of reshuffling acquired data and is not an especially objective process. How would the Tribuses have gone about classifying cases into particular categories? In

examining a case record, how, I wonder, would they have decided, except by personal judgment and inference, whether or not casework had been used? It all depends, I imagine, on who is making the inferences.

The categories I applied specifically stated criteria which could be used and checked by others. The Tribuses may like to believe that *only* personal judgment was employed in *all* cases, and that when a decision had to be made to classify any one case, prejudice dictated the decision. Since they could not actually witness the process, I assume this is a subjective judgment on their part, based, of course, upon unprejudiced inference!

4. I should like very much to see a "satisfactory" definition of casework, one which would indicate what it is rather than what it is *not*. If the Tribuses find my definition unsatisfactory, I am willing to discard it, but doing so will weaken the case for the opposition. My definition was intended to give some credit to probation officers for their use of casework techniques. But if, as the Tribuses conclude, casework was not used at all in any of the cases I included in my study, then the number of delinquents who adjusted successfully without it is necessarily far greater than I said it was. How, then, can one consider casework essential in probation?

5. How do my criteria of success or failure neglect to "take into account the practical situation characteristic in juvenile courts"? What the Tribuses have said I *suggested* as criteria are not my criteria at all. They are *observations* I made from the data collected for the study. What the data show is that caseworkers have no more success with difficult cases than do non-caseworkers.

6. I know that the most disturbed delinquents get the most attention, but how does this affect the validity of my conclusion that casework is not necessary in probation? Shall we wait for an improbable future when casework will be used in all cases? In that event, could we then correctly credit all successes to casework? When the earlier studies of the Gluecks showed a high rate of recidivism, there was a clamor for more caseworkers, more psychologists and psychiatrists, and more clinics. Today, more money is spent for facilities and professional salaries than ever before. We have more high-powered caseworkers, and *the results are the same*. Consequently, we need to evaluate our facilities as well as the techniques and theories valued so highly by those who feel their methods are beyond criticism.

7. The Tribuses, apparently unaware or unafraid of the dangers inherent in reasoning by analogy, imply that because we need well-trained teachers, we need well-trained caseworkers. This is a false analogy based on the incorrect assumption that when two situations are similar, they necessarily are the same. How are geriatrics and formal teaching the same as correctional work? Individuals other than caseworkers are fundamentally more important in the socialization of children. If some children fail to conform, it is not necessarily an indication that we need caseworkers. We need something, to be sure, and we may agree that we need well-trained people, but *well-trained* is not synonymous with *casework*.

8. Quoting the Tribuses: "Cases which have deteriorated to a point where they are far beyond help through treatment in a juvenile court setting cannot yield statistical data worthy of

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analysis." This is a questionable assertion to say the least. Here they have set up a straw man; they imply that my conclusions concerning the role and value of casework were based on cases beyond help. This assumption is seemingly founded on their own preconceptions and not on any material in my study.

9. Ideally, one should take into account degrees of adjustment, but it is not always possible. Had it been possible to locate and test each individual in the study, the determination of who was adjusted and to what degree would have had to depend upon inference and personal judgment. For example, if a former delinquent were now found to be a confident, sociable person with poise, and with no apparent anxieties and conflicts, would he *necessarily* be socially adjusted?

What brings children to the court is a violation of the law. What keeps them out of court is conformity to the law. This seems to me a legitimate basis for deciding the success or failure of adjustment. At any rate, it is the basis of judgment for the community as a whole. The community is interested in the ability of the individual to conform to its standards. Anxieties and personality difficulties may or may not be relevant, but are we to say an individual is *not* adjusted in regard to the standards of the community because he is anxious or moody even though he steers clear of the law?

10. The Tribuses' assertion notwithstanding, they have not shown that the data of the study were obtained from a nonrandom sample. However, I made no claim that the sample was selected at random. The sample consists of *all* cases placed on probation in a particular year and may be considered representative since the cases placed on

probation in other years are of the same type.

Nevertheless, their point concerning the use of chi-square is well taken. On the other hand, the data and the conclusions are significant as they stand, and do not rest for support on the results of a chi-square test. I go along with their distrust of statistics, but the examples they cite as evidence of the kind of conclusions one may reach through their use are irrelevant *unless*, of course, they are suggesting I used a similar process. But they have not shown such to be the case.

11. I can understand very well their difficulty in accepting my conclusions that casework is not essential in probation and that those who have no casework background are *apparently* as competent as those who do. However, such a difficulty on their part is no basis for the invalidation of my conclusions.

12. The last part of their criticism is an excellent illustration of the characteristics of casework mentioned in the second part of my article. Curiously, they ignored the most significant points and concentrated on a brief quotation from Aichhorn's *Wayward Youth*, a quotation which is unimportant to the thesis of the article.

It seems that Aichhorn, despite his psychoanalytic training, understood what the Tribuses do not grasp: that even a caseworker can approach a situation with preconceptions which will distort his view of it, and not all cases present deep problems which can be handled only by psychoanalytic therapy. I had hoped that the words of a "psychoanalytically oriented pioneer" would carry more weight with readers who might be more psychoanalytic than the psychoanalysts. It was no predilection for



Aichhorn or for his psychoanalytic dogma that compelled me to quote him.

In turnabout, the Tribuses triumphantly quote Aichhorn to substantiate their contention that "the psychoanalytic view is the underlying, basic, differentiating, and necessary view for successful probation work." Reaffirming their belief is, seemingly, to substantiate it. No proof is necessary, just mere assertion. (It is worthy of note that caseworkers *could* say they *believe* or *feel* a psychoanalytic orientation is best. It is interesting, too, that they blithely ignore cogent criticisms of their concepts. Their sense of security must come not from a rational or logical defense of their ideas, but from the assurance that there are others who "believe." Perhaps they sense their ideas will not stand the test of reason?) How, logically, does it follow that because delinquents are problems of human adjustment, their treatment must be psychiatrically oriented? Perhaps it follows if we accept the existence of psychoanalytic gremlins in the unconscious. Psychoanalysis, and casework which apes it so desperately, have yet a great deal to prove; it is not enough merely to state the rationale one is using as a working pattern.

The Tribuses exemplify the caseworkers' preconceptions by the manner in which they treat their own definition of a situation. They assume that they possess a monopoly on truth, and then they look for "facts" to fit their definitions. The most unwarranted result of such a position is the feeling

that only psychoanalytic initiates can understand the "real" problem. In effect the "super-duper" caseworker imbued with the sense of his analytic mission may construe a situation to be much worse than it really is. Probably most delinquents do not suffer from what many caseworkers would like them to: highly charged emotional conflicts. But when this is the case, it is highly questionable that caseworkers are qualified to treat such disturbed children.

But these and other points were developed more fully in my article. It is disappointing that the Tribuses did not choose to discuss them, but contented themselves with defending their position with a meaningless reaffirmation of psychoanalytic dogma. This leads me to a final question: Are caseworkers more concerned with defending their sacred ideas than in doing the best possible job? If they are interested in the acquisition of knowledge, as opposed to the stand that they possess the truth for all time, they must be prepared to look for what is valid and what is invalid in their ideas and techniques. And what is equally important, they must have the courage to discard that which is not worth keeping. If caseworkers are not willing to put their position to the test, then they can scarcely expect that others will not dispute their illusory claim to absolute knowledge of the dynamics of human behavior.

LEWIS DIANA

Assistant Professor, Department of  
Sociology  
University of Pittsburgh

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## News & Notes

*Crime, Courts, and Probation* is the title of a forthcoming book about adult offenders by Charles L. Chute and Marjorie Bell. It is addressed to the general reader as well as to those who come in contact directly with the problem of crime and the treatment of the law-breaker.

The idea of this book had been in Mr. Chute's mind during his many busy years as executive director of the NPPA. He began work on it when he retired from the directorship, but when he died in the fall of 1953 the book was not completed, and it fell naturally to Marjorie Bell, formerly assistant director of the Association and editor of *Focus* and the *Yearbook*, to carry the project to completion.

The book treats the subject of probation broadly in its historical setting as an outgrowth of the processes of justice and of increasing concern for the fate of the individual. The story of John Augustus, Boston shoemaker who in 1841 became the first probation officer, is followed by an account of the spread of probation as a legal and social movement throughout the country for the century or so after his time. The lively ten-year campaign for a probation system in the federal courts, opposed by certain members of Congress, is told in one chapter, the history of the NPPA in another. The whole process of probation investigation and supervision is presented and the larger aspects of state responsibility are explored. One chapter is devoted to the juvenile court. An evaluation of the status of probation today concludes the general presentation of the book. An additional chapter, "My Six Probationers," il-

lustrates probation in practice. This is the work of Judge Louis Goldstein, formerly presiding judge of the Kings County Court (Brooklyn). His account of seven young men convicted of armed robbery in a crime spree lasting several months is taken directly from the files of his court.

Important and timely, *Crime, Courts, and Probation* will be published by Macmillan next fall. The price will probably be under \$5. Further details will be announced in the October issue of the NPPA JOURNAL.

Paul V. McNutt, Governor of Indiana from 1933 to 1937, High Commissioner and later Ambassador to the Philippines, and, since 1937, Honorary Vice-President of the National Probation and Parole Association, died on March 24 at his home in New York City at the age of sixty-three. It was during his administration as governor that statewide probation services were developed in Indiana.

Owen J. Roberts, Associate Justice of the Supreme Court of the United States from 1930 to 1945, Dean of the Law School of the University of Pennsylvania, and Honorary Chairman of the NPPA Advisory Council of Judges since its formation in 1953, died on May 17 at his home in Bryncoed, Pa. He was eighty years old.

George W. Smyth, judge of the Westchester County (N. Y.) Children's Court, chairman of the Board of Trustees and president of the National

Probation and Parole Association, will retire from the bench at the end of this year. In his final annual report, issued last May, Judge Smyth noted that the ratio of juvenile delinquents to the general population in Westchester had decreased 25 per cent in the last twenty-five years. The reason for this, the judge says, is that "Westchester has been able to provide those things necessary to prevent delinquency—sound homes, active churches, good school systems, effective children's court and probation work, intelligent policing, well-organized social work, public health and recreational facilities."

The federal Advisory Corrections Council has been organized in the Department of Justice to conduct broad studies of such problems as the treatment and correction of federal offenders of all ages, and methods of preventing delinquency and crime. Dr. Hurst R. Anderson, president of American University, was appointed by attorney general Herbert Brownell, Jr. as chairman of the council, whose eight members, including three representatives of the federal judiciary appointed by chief justice Earl Warren, will serve without pay. Serving with Dr. Anderson are Scovel Richardson, chairman of the federal parole board; George J. Reed, chairman of the board's Youth Division; James V. Bennett, director of the Bureau of Prisons; Louis J. Sharp, chief of the federal probation system; Albert V. Bryan, district judge, Alexandria, Va.; Orie L. Phillips, judge of the U. S. Court of Appeals, Denver, Colo.; and Luther W. Youngdahl, judge of the U. S. District Court, Washington, D.C. Judges Phillips and Youngdahl

are members of NPPA's Advisory Council of Judges.

Addressing the opening session of the annual meeting of the American Law Institute in Washington, D. C. on May 18, chief justice Earl Warren said that "enlightened systems of probation" are not only more effective but also less expensive than imprisonment and could salvage delinquents from lives of crime. "The safety of society," he asserted, "cannot be assured by putting all our trust in maximum security prisons."

Professor Henry Weihofen of the University of New Mexico's College of Law was the recipient of the American Psychiatric Association's 1955 Isaac Ray Award at the annual meeting of the APA held in Atlantic City, N. J., on May 11. The award was presented to Professor Weihofen for his outstanding work in furthering understanding between psychiatrists and lawyers on legal questions involving mental disorders. He will deliver a series of lectures at Temple University's Law and Medical Schools during 1955 and 1956.

A paper by Professor Weihofen on "Eliminating the 'Battle of Experts'" will be one of a series which will appear in the October 1955 issue of the NPPA JOURNAL dealing with the broad subject of psychiatry and the courts.

On May 6, 1955, Deputy Mayor Henry Epstein of New York City submitted to Mayor Wagner a 66-page report entitled "Perspectives on Delinquency Prevention." Succinct and constructive, it has received wide

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circulation here and abroad. The report outlines the coordination of new and improved programs to cope with the problems of juvenile delinquency and reduce the incidence of antisocial behavior among the children of the city.

The steps listed below are representative of those given in the report as a basis for a thoroughgoing preventative and curative program.

1. Increase recreation and community programs in public housing.

2. Increase units of Juvenile Aid Bureau and submit results to observation and study.

3. Extend services of Youth Board street clubs and casework facilities to three additional areas in the city.

4. Re-evaluate teacher rotation policies.

5. Add staff to work in discussion groups with parents in evening community and recreation centers.

6. Extend "co-op" program and guidance in the schools so that more students can attend school and work part-time as well.

7. Grant Youth Board request for funds for in-service training.

8. Increase staff of remedial reading specialists.

For excerpts from the Epstein report on this last point, dealing with the relationship between reading retardation and juvenile delinquency, see page 24.

The absence of indignant protest against conditions known to be "a mockery and utterly degrading to human dignity," with reference to public welfare in general and delinquency correction services in particular, was condemned by Will C. Turnblad during the course of his talk as main

speaker at a dinner meeting of the Mountain States Regional Conference, American Public Welfare Association, in Salt Lake City last April. The conditions he described include the breaking up of families through the routine "grinding out of divorces," detention of children in places serving as schools for crime and often without regard to the children's legal rights, and the indiscriminate handling of all types of cases in municipal courts. The NPPA executive director asserted that many persons working in the correctional field have "developed a professional veneer that makes capacity for indignation seem naive."

"Buy a brick today and help a boy tomorrow" is the slogan of the Chapel Fund, sponsored by the Colorado Probation and Parole Association in its drive to raise \$40,000 to build an interdenominational chapel at the State Industrial School for boys at Golden, Colorado.

Since the institution has had no facilities for religious services, the CPPA at its annual meeting last February unanimously approved this project. The proposed chapel will be a permanent brick structure with a seating capacity of over 160. James P. Eakins, Supervisor, State Department of Parole, has been named general chairman of the statewide fund raising drive.

The chapel will be situated at the main entrance to the school: it will be the first building a boy sees upon entering the school and the last when he leaves.

Contributions should be sent to the Chapel Fund, Box 272, Golden, Colorado. Names of all donors will be permanently inscribed in the chapel.

## Conferences and Institutes

**Frederick A. Moran Memorial Institute on Delinquency and Crime**  
**St. Lawrence University, Canton, N. Y.**  
**August 14-19, 1955**

Faculty will consist, as usual, of well-known experts from U. S. and Canada. Program (under direction of Charles S. Antolina, formerly of Division of Probation, N.Y.S. Department of Correction, and appointed June 1 by Correction commissioner Thomas J. McHugh as his executive assistant) is based on efforts to coordinate attack on delinquency and crime in New York State, with special emphasis on training of selected correctional personnel. About 500 persons from U. S., Canada, and several foreign countries are expected to attend. Address inquiries to Dean Joseph J. Romoda, Delinquency Control Institute, St. Lawrence University.

**Delinquency Control Institute**  
**School of Public Administration**  
**University of Southern California**  
**University Park, Los Angeles, Calif.**  
**September 13 to December 2, 1955**

Twelve-week specialized training program for police officers and allied groups to foster knowledge of those working with troubled youth. Curriculum covers nine courses of study and field trips. University credit to qualified students. Attendance limited to twenty. Applicants must fill out application form with consent of the chief of police or other administrator. Full tuition scholarship granted to each student accepted for admission. Living expenses for term (\$500) and travel costs are usually met by department which sends officer. Funds sometimes can be obtained from interested individuals or civic groups. Address inquiries and applications to Director, Delinquency Control Institute, University of Southern California, Los Angeles 7.

**Congress of Correction**  
**Des Moines, Iowa**  
**September 27-30, 1955**

NPPA will conduct four sessions. For general information, write to E. R. Cass, General Secretary, American Correctional Association, 135 East 15 Street, New York 3, N. Y.

## Job Vacancies

### Napa, California

*Superintendent and Matron* (married couple) for new detention home.

Salary: About \$5,100; living quarters, food, utilities furnished.

State retirement plan available; employment is by local probation committee, not civil service.

For further details, write to James W. Solomon, Probation Officer, County of Napa, Room 15, Courthouse, Napa, Calif.

### San Diego, California

*Group Counselor I* (Examination No. 2886). Women especially urged to apply.

Qualifications: Bachelor's degree; major credits in social sciences, emphasis on sociology or psychology. College seniors may take examination two months prior to graduation; college transcript must be presented by time of interview. Applicants must have California motor vehicle license at time of interview.

Duties: Supervise young people at new Juvenile Hall.

Salary: \$3,384 to \$4,116 (maximum salary attained in 3 years). Experience in this setting is qualification for higher position in group work; 18 months' experience is qualification for assistant probation officer examination.

For further details and application forms, write to Clayton G. Swanson, Department of Civil Service and Personnel, Room 402, Civic Center, San Diego 1, Calif.

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**Washington, D. C.**

The following positions are open in the Juvenile Court of Washington, D. C.; they fall within the U. S. classified civil service system.

1. *Probation Officer*; casework with children under 18, or with adults involved in nonsupport cases.

Qualifications: One year at school of social work plus one year of casework experience, or two years at school of social work.

Salary: \$4,205 to \$4,955.

2. *Casework Supervisor*.

Qualifications: Same as above plus experience in supervision of at least four caseworkers for one year, or its equivalent.

Salary: \$5,060 to \$5,810.

3. *Supervisor of Probation* (Chief Supervisor).

Qualifications: Broader basis of supervision than for Casework Supervisor, and some administrative experience.

Salary: \$5,940 to \$6,940.

For additional information write to John J. Larkin, Director of Social Work, Juvenile Court of Washington, D. C., 400 E. St., N.W., Washington 1, D. C.

**Grand Rapids, Michigan**

*Director of Court Services*, juvenile court; to work with judge and citizens advisory committee on reorganization of probation department and detention home.

Qualifications: Master's degree in social work; supervisory or administrative experience.

Salary: Open.

Address inquiries to Verle Myers, Chairman, Personnel Committee, Kent County Citizens Advisory Board, 1704 Mason Street, N.E., Grand Rapids, Mich.

**University of Missouri**

*Teacher* in juvenile delinquency. School of Social Work, University of Missouri. The school is developing a curriculum in corrections.

Qualifications: Master's degree in social work; experience in probation and parole

in supervisory status. Age 35 to 45 preferred.

Salary: Minimum of \$5,000; higher depending on superior qualifications.

For details write to Isaac Gurman, Executive Secretary, St. Louis Bureau for Men, 1722 Olive Street, St. Louis 3, Mo.

**Milwaukee, Wisconsin**

*Probation Officers*; 3 vacancies (2 men and 1 woman), Municipal and District Courts (Examination No. 1675). Tenure and security without political interference or pressures. Qualified supervision.

Qualifications: Master's degree from accredited school of social work, and a minimum of one year's paid experience as social service worker with casework agency.

Duties: Make financial and social investigations of adults placed on probation; make presentence investigations of assigned cases; formulate and carry out treatment plans.

Salary: \$4,340 to \$5,175. Maximum salary attained in 4 years. (Credit may be given, up to the maximum pay and on a year-for-year basis, for acceptable previous social work experience.) Annuity and pension possible at 55, mandatory at 70.

For application and further details write Milwaukee County Civil Service Commission, Room 206, Courthouse, Milwaukee 3, Wis.

**Wisconsin**

*Probation and Parole Agents*; 12 vacancies.

Qualifications: Two years graduate work at accredited school of social work. Must own automobile.

Duties: Complete an average of 7 or 8 investigations a month; bear responsibility for casework services to average of 47 adult and juvenile probationers and parolees.

Salary: \$4,332 to \$5,112.

For further details and application forms write Quentin L. Ferm, Director, Bureau of Probation and Parole, 104 E. Dayton Street, Madison, Wis.

## Book Reviews

**Prison, Probation or Parole?**, Paul W. Keve. Pp. 265. Minneapolis, Minnesota, University of Minnesota Press, 1954, \$3.75.

Paul Keve, assistant chief probation officer in Minneapolis, is a man of many talents. His *Prison, Probation or Parole?* demonstrates that in addition to deep insight into the problems of people who commit crimes and extensive knowledge of casework, he has considerable ability as a storyteller. Interwoven among the interesting stories, which give the reader an intimate glimpse of everyday probation and parole work, is text material which makes the book a valuable addition to the library of every probation and parole office in America. The book should be especially helpful to new officers, not only for the information it contains in the practical application of sound casework principles, but for its advice and inspiration as well.

The style is pleasing, comfortable, unassuming, and occasionally picturesque:

The bits of information I eventually gathered about Kirk's first year of married life depicted a time of sad disillusionment with a wife of sophisticated and expensive tastes, who had no more feelings of fidelity toward her husband than his money could encourage. When the money was gone, Jenny's faithlessness became more concrete, and when Kirk unexpectedly came home sick from work one day and found her in a situation that proved the marriage's failure, it was difficult for him to be at all rational about it.

Christine's mother had been hastily united in a shotgun wedding with a man twenty years more sinful than she.

Only about two weeks later I handed Judge Woods a special report that took the sheeps clothing off my probationer and recommended revocation of his probation.

The police, I noted, had no reason to think the crime any worse than just that, and so here was a man charged with rape when it should have been no more than paid

cohabitation, complicated, of course, by the man's understandable resistance to inflation.

Keve's analysis of the varied types of crimes and offenders is delightful reading; at the same time that it shows a rare understanding of probation, parole, and court problems, it pokes a little fun at some of our antiquated criminal procedures. He points out that often the defendant is aided or directed by the plaintiff in committing the crime.

While he deals humanly with the average offender, Keve is no sob sister. His realistic handling of the psychopath dispels all doubt on this score. As he himself expresses it, "The serious sexual psychopath is one of the most discouragingly dangerous types we have to contend with, and a prison sentence of substantial duration is likely to be the only sensible plan available."

In discussing parole, Keve makes one statement that I feel should be challenged: "In indeterminate sentencing procedure, both a minimum and a maximum sentence are named." This statement has appeared in periodicals several times recently, but is decidedly not true. There are indeterminate sentencing laws where no minimum is set at all. Oregon, for instance, by statute, has abolished all minimum terms. In Washington and California, the parole board rather than the court fixes the sentence which invariably becomes the maximum. In the 1955 edition of the NPPA Standard Probation and Parole Act, the court does not set the maximum, and may or may not, in its discretion, set a minimum.

All in all, the book is a valuable contribution to parole and probation literature and is enthusiastically recommended to probation and parole officers, police officers, judges, district attorneys, social workers, and the lay public.

FRED FINSLEY

Member, California Adult Authority

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**The Community and the Delinquent,** William C. Kvaraceus. Pp. 566. Yonkers-on-Hudson, World Book Company, 1954, \$4.50.

Among the current deluge of books which have flooded the market on the subject of juvenile delinquency, *The Community and the Delinquent* by William C. Kvaraceus (formerly a psychologist in the school system of Passaic, New Jersey, and presently teaching at Boston University) is outstanding for its practical value to all those who want a thorough and competent analysis of delinquency causation. It offers specific information on various communities and community agencies that are working on the problem of juvenile delinquency and tells what they are doing about it. Though this book has a scientific foundation, it is oriented to stimulate action among community leaders, agency executives, and parents. It gets down to cases.

For the practical man, the specific examples and descriptions of actual programs in the chapters on "Legal Definitions and Concepts," "Reinforcing Home and Family Life," "The Central Role of the Schools," and "The Influence of the Churches" will be especially valuable. Equally concrete are the chapters on "The Child Guidance Clinic," "Making the Most of Recreation," "The Functions of the Police," "The Juvenile Court and the Youth Authority," and the two chapters on training schools for delinquents.

For the reader interested in the problem of explaining delinquency scientifically, Kvaraceus' chapters on "Guiding Principles for Understanding Delinquency as a Form of Behavior" and "Observed Differences Between Delinquents and Non-Delinquents as a Basis for Early Identification and Prediction" summarize clearly most of the relevant evidence to date. The final chapter, "Increasing Our Information on Juvenile Delinquency," poses 113 specific research problems in seven fields. To this chapter is appended an annotated bibliography of 104 titles.

One typical problem suggested in the field of public relations is the development

of a program of community education aimed to combat criticism of the juvenile court for "mollycoddling" the young offenders brought before it.

Among the twenty-one tables is one which summarizes, for each of the forty-eight states, Alaska, and the District of Columbia, the age of exclusive juvenile court jurisdiction, age of jurisdiction concurrent with that of the criminal courts, and the conditions governing transfer of jurisdiction from the juvenile to the criminal court. On the characteristics of delinquents and nondelinquents, the book summarizes the findings of five major studies, including those by Healy and Bronner and the Gluecks. It also summarizes the results of outstanding applications of seven test instruments: the Personal Index Test, the Minnesota Multiphasic Personality Inventory, the Porteus Maze Test, the Washburne Social Adjustment Inventory, the Glueck Prediction Tables, Behavior Cards—Test-Interview for Delinquent Children, and the Kvaraceus Delinquency-Proneness Scale and Checklist. The author concludes, "Three reasons may account for the rather low forecasting accuracy of even the best of the available prediction tools and methods: the unreliability of the measures themselves; the multiplicity of variables that impinge upon individual behavior; and the human or volitional element." He is not too hopeful that prediction scales will improve with experience. "We can say that the best instruments of the future, by themselves, will increase the forecasting efficiency to only about 20 to 30 per cent above sheer guesswork."

Throughout the book, the need for community planning is emphasized. Professor Kvaraceus writes, "Existing facilities are seldom the result of any prior community planning and organization. Usually they represent an aggregate of services—the sum of single approaches arising out of special interests. . . . The result is an overlapping of services, agency rivalry for funds and clients, the preservation of agencies that have outlived their usefulness, and a lack of coordination of youth services."

This is a thoroughly worthwhile book, intended not to add to our knowledge of delinquency directly but to put to work more effectively what we already know and to stimulate further research. It does not attempt to examine the cultural presuppositions that underlie social problem-solving, nor does it quite cover the waterfront on what is actually being done now in the United States. The index, for example, fails to include the name of Clifford Shaw, and there is no mention of his remarkable Area Project Plan, which strives to change the culture of delinquency areas in Chicago—a project which many observers regard as one of the most promising techniques available for controlling delinquency in slums. Social workers will probably feel that the book also fails to do justice to their contribution, despite a chapter that deals with the individual approach through case study methods. Likewise, state and federal government contributions are not adequately explored.

But the book is written clearly in straightforward English; it provides the best scientific evidence available for understanding delinquency; it gives specific examples of what outstanding communities and community agencies are now doing to reduce delinquency; and it pounds home the message that community planning and community action offer the best hope for more effective control of juvenile behavior. This message is worthwhile.

LOWELL JULLIARD CARR

Sociology Department  
University of Michigan

**Are You Guilty?**, William Dienst. Pp. 184. Springfield, Illinois, Charles C Thomas, 1954, \$4.50.

Professor William Dienst has planned his book in an intriguing manner. It begins with a brief description of events leading to the arrest, mass trial, and conviction of a youth gang, and the eventual reversal of that conviction by an appellate court. Against this setting, he develops a discussion of the components of the administration of criminal justice—the press,

legislation, police, jails, lawyers, judges, juries, probation, prisons, and parole. With chapter headings such as these, it is obvious his discussion is broad and far-reaching. Since the book consists of less than 200 pages, the subjects handled are not detailed.

Professor Dienst constructs his book upon the thesis that all phases of administrative criminal justice depend upon man; therefore, it is as strong or as weak as the men involved. This concept is scarcely novel to those persons experienced in the administration of criminal justice; they are well aware that some mistakes are made, and that some personnel is apathetic, incompetent, and corrupt. They are also aware to what extent human weaknesses influence results. To people who have worked in the field, and thought seriously of its needs and faults, there is little value to be derived from the well-known and familiar ideas stated in Professor Dienst's book.

However, this book was not written for the professional, but for the citizen in general who can gain from its pages considerable knowledge and insight concerning criminal law. There is little question that the average citizen does not take sufficient interest in criminal legislation—his police department, the local jail, the selection of judges, jury service, probation, prisons, and parole. If he did, all of these agencies could function more effectively in the administration of criminal justice and begin to effect the changes necessary for its improvement. For example, if the average person really understood probation and its purposes, he would insist that the courts be supplied with qualified, skilled, and well-paid staffs. He would insist upon doing his part to help rehabilitate the probationer, and thus save himself and society infinite cost in manpower and finances.

Most people have shunned anything connected with criminality. The author explains the unfortunate and destructive nature of this attitude. He believes that if the public were well enough informed and dynamically interested in the administration of criminal justice, great changes would be made to improve the present system.

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The following statement by the author emphasizes the importance of knowledge and cooperation on the part of the American citizen:

"No government is any better than its concept of justice and the operation of its machinery of justice. If Democracy hopes to survive, the machinery of justice must afford equal protection to all, be equally accessible to all, and be swift in its operation."

IVAN LEE HOLT, JR.

Judge, Eighth Judicial Circuit Court  
St. Louis, Missouri

**Children and Families in the Courts of New York City**, *Walter Gellhorn et al.* Pp. 403. New York, Dodd, Mead, 1954, \$5.

Professor Walter Gellhorn's *Children and Families in the Courts of New York City* is a timely, authentic, solid, yet easily readable, and important book.

Relevant to its appraisal is the candid remark made by one of the drama critics assembled in the epilogue of Bernard Shaw's *Fanny's First Play*: "Who's the author? If it's by a good author, it's a good play, naturally." For, to the preparation of the bulk of this admirably conceived, painstakingly balanced, and richly factual volume, Columbia Law School Professor Walter Gellhorn, author of a standard text, *Administrative Law, Cases and Comments*, brought not only academic scholarship, but also practical experience as a former government attorney. He was, therefore, an ideal choice to head the research staff of a special committee of the Association of the Bar of the City of New York, appointed in December, 1951 to consider the administration of laws relating to children and families in New York City.

After nearly a year of intensive field work, which included both personal observation of the operation of the several courts and their staffs and also examination of the abundant professional literature, statistical data, and judicial opinions, Professor Gellhorn rendered to the committee in March, 1953 the results of his comprehensive, imaginative study, made with the

able assistance of Professor (now Dean) Jacob D. Hyman, of the University of Buffalo Law School, and Professor Sidney H. Asch, of the New York Law School. Thereupon, copies were widely distributed, followed up by much correspondence, round table conferences with judges of the several courts considered and representatives of social agencies and religious groups, and a public hearing. Such preliminary study was then edited by Professor Gellhorn in the light of those developments. The published volume includes not only his final version but also a succinct report of the findings and conclusions of the special committee of nine eminent lawyers largely predicated on and summarizing that detailed Gellhorn study.

That report begins with a description of the types of problems with which the study deals: "claims for nonsupport, physical violence between husband and wife, neglect of children, juvenile delinquency, youth offenses, paternity cases, custody of children, adoption of children, and matrimonial actions—divorce, annulment, dissolution, and separation. These matters are now handled in several entirely independent and unrelated tribunals," but should instead, the report emphatically recommends, be concentrated in a "new, single, integrated court," *adequately implemented*. It goes on to stress the gross inadequacy of existing facilities and the lack of public and official understanding of the consequent needs, illustrated, for example, by the low rate of staff salaries. Special emphasis is placed on the illogical and meaningless fragmentation of jurisdiction of the New York City courts over children and families, which "makes for inefficiency and injustice"—a "jurisdictional hodgepodge" that "has caused the people in this community least able to cope with it to be knocked around in the courts as if in a pinball machine."

The factual material and criticism are local. But their implications are widely applicable and significant because of the quality of the research and the express recognition of the fundamental philosophy familiar to juvenile court judges and workers but not appreciated by, and ac-



tually little known to, the rank and file of the bar. So, publication of the report and the supporting Gellhorn study under the imprimatur of a leading bar association gives weight to such recognition and to the corollary espousal of an extension of juvenile court principles to the envisioned unified domestic relations court of general jurisdiction. Emanating from a traditionally laggard and conservative profession, such progressive endorsement prompts copious quotation from the committee's broad statement of its thinking on the administration of laws relating to children and families:

All of these matters have certain common aspects which set them apart from the ordinary litigated issues that come before a court of law. Most of them have as their genesis some form of breakdown of the family, and for this reason they involve important sociological consequences affecting the community at large. Such matters, moreover, are usually best treated with a preventive approach and should ordinarily not be dealt with as purely adversarial proceedings or in the light of purely legal considerations. . . . Our study has revealed almost unanimous agreement that in dealing with all of these problems resort to the social, psychological and biological sciences is not only of great assistance but in many cases is essential for a proper disposition of the case. . . . Modern thinking demands that a proper disposition of many of these cases requires the discovery of the root cause and an effort to eradicate it rather than merely treating the symptom by punitive or other purely legal remedies. Such an approach brings our jurisprudence in harmony with up-to-date sociological and therapeutic knowledge. . . . Therefore, to perform their functions with any degree of adequacy, courts dealing with this type of situation should be appropriately equipped with diagnostic and treatment facilities. Such facilities should include trained social case workers, medical, clinical psychiatric and psychological services, and marital and religious counselling services. These services should be coordinated with those of the appropriate religious and philanthropic agencies.

However, it is postulated that such recourse to the social and medical sciences

must be coordinated with established safeguards of due process; and therefore the implementation recommended includes, as indispensable, permanently assigned specialist judges of suitable temperament, interest, background, and training.

The blueprint for the proposed "new, single, integrated court" is based on the ample, clear, and convincing material collated in the Gellhorn study and also on the sound, realistic consideration that "to equip each of the complex of courts . . . with the services necessary to do a competent job . . . would be costly and inefficient." Of course, any substantial reform will entail great initial expense; and that cost will doubtless be seized as a counter-argument which, along with community apathy and "conflicting interests, political expedience, prejudice, and lack of understanding, will contribute to pressures for maintaining the status quo." So, the committee report ends with frank recognition of the practical blocks which stand in the path of the recommended program; therefore, it underscores the vital requirement for a preliminary "concentrated effort directed to public education by the press, by the bar, and other responsible community groups."

Because of space limitations here, a mere listing of the chapter titles of the Gellhorn study itself must suffice to show its range, depth, and informational value. A colorful introduction, "The Twentieth Century Family in New York City," depicts a city of shifting population, congested areas, sharp cultural conflicts, and other extremes. The first chapter, "Children with Problems," narrates the creation of the present judicial machinery and discusses several public agencies outside the courts; namely, the Department of Health (with its child health stations), the Department of Welfare (home relief, aid to dependent children, and foster home service), the school system's bureaus of child guidance and attendance, the Juvenile Aid Bureau of the Police Department, and the Youth Board. Subsequent chapters are entitled "Children's Court"; "The Conduct of Cases in the Children's Court"; "The Probation Staff in Children's Court"; "The

Facilities Treating Court Problems; Troubled Adolescents; Term, Nature of Sessions, of Court"; "The order in the treats' Court"; "City"; "preme Court Family"; Supreme in the S as Conser prehensiv The last mittee rep nosis for methods in New . . . Still, as to arou They are than by in their deep adults. Th hood tha will make Social ine insistentl present fostered embrace However forcefully mediate tion . . . can and present l ices and It would progress ings alone will be g resources italics.) The ju in 1899 a as the r administ Charta,

Facilities Available for Receiving and Treating Children Involved in Children's Court Proceedings"; "Young People in Trouble" (dealing with the Youth Term, Adolescent Court, Home Term, Girls' Term, Narcotics Term, Court of Special Sessions, and county courts); "The Family Court"; "Paternity Proceedings"; "Disorder in the Family: the Role of the Magistrates' Courts"; "Adoptions in New York City"; "The Administration in the Supreme Court of Laws Relating to the Family"; "Custody of Children in the Supreme Court"; "Support of the Family in the Supreme Court"; "The Courts as Conservators of Marriage"; "A Comprehensive Court?"; and "Conclusion."

The last, like the summarizing committee report, freely avows the poor prognosis for early over-all reform: "The methods of dealing with family problems in New York are shockingly inadequate. . . . Still, the deficiencies are not so acute as to arouse a public demand for change. They are experienced by individuals rather than by influential groups; they often leave their deepest scars on children rather than adults. There is not, in sum, a major likelihood that spontaneously effective protest will make itself heard in legislative halls. Social inertia, far from being overcome by insistently voiced indignation concerning present shortcomings, may instead be fostered by professional unwillingness to embrace new concepts and techniques."

However, the Gellhorn study conclusion forcefully urges that "even without immediate and drastic judicial reorganization . . . there are important advances that can and should be made. . . . The courts' present budgets discourage stronger services and more effective administration. *It would be almost disastrous if reliance for progress were placed on jurisdictional tinkering alone. Nothing substantially worthwhile will be gained unless the courts are given resources that are now withheld.*" (My italics.)

The juvenile court movement, initiated in 1899 and characterized by Roscoe Pound as the most significant advance in the administration of justice since Magna Charta, has nearly everywhere fallen woe-

fully short of its full potentialities for lack of adequate implementation. So, the chief usefulness of *Children and Families in the Courts of New York City* may well be its particularized demonstration of the tragic and costly effect of such continued deficiency in a large metropolitan area. In the forceful language of the last paragraph of the Gellhorn study: "There is a choice before New York City. It may support generously the preventive and restorative work that should be but is now only partially done by such tribunals as the Children's Court and the Family Court. Or it may pay dearly at a later stage for institutionalization of disturbed persons, for criminalism, and for disrupted homes."

DUDLEY F. SICHER

Retired Justice  
Domestic Relations Court  
New York City

February 7, 1955

Administration of Criminal Law,  
Ernst W. Puttkammer. Pp. 249. Chicago,  
University of Chicago Press, 1953, \$5.

*Administration of Criminal Law* was written with a worthy purpose: "To supply a summary of how the machinery operates in the administration of criminal law. . . . Not only for the guidance of the lawyer, the volume has been written as a help also to the individual who at any time may be called as a witness, as a venireman, or as a complainant, or whoever upon occasion may be innocently involved in criminal proceedings." As Professor Puttkammer indicates in his preface, the book was intended to be a brief and rather elementary description of the procedures and agencies involved in the administration of criminal justice from arrest through trial and sentence to final pardon or parole.

There has been a vital need for a book of this kind. There is no other comprehensive treatment of the subject available in the literature except for Professor Orfield's *Criminal Procedure from Arrest to Appeal*, published in 1948. This volume contains a more detailed elaboration of the

subjects covered and provides numerous citations as to cases, law notes, and statutes. It also provide a fuller picture of the present state of the law throughout the nation.

In the interest of brevity, Puttkammer has omitted a greater part of these details; however, he has provided a surprising amount of condensed historical and comparative material. Furthermore, because of his simplicity of style and content, the work will better serve the needs of the layman, rather than those of civil lawyers who seek enlightenment on the procedures of the criminal law.

There is a problem, unfortunately, for the general reader of this book: it omits numerous matters pertaining to trial (jury service, rules of evidence, expert witnesses, the right to refuse to testify, etc.), and it also fails to explain that appeal in criminal procedure is similar to that in civil cases. This is omitted on the theory that civil lawyers will already be familiar with such matters; however, this involves the elimination of materials that would be of considerable interest and importance to laymen seeking enlightenment on criminal procedure. "Trial" is disposed of in thirty-three pages in this work, while Orfield devotes one-fourth of his volume to the subject. Considering the amount of attention that Professor Puttkammer devotes to such subjects as the underlying philosophy of criminal law, the organization of police departments, and indictment, it seems unfortunate that a fuller summary picture of the trial process could not have been provided.

Aside from the deliberate omissions mentioned, the volume does provide useful and engaging presentation of materials that should satisfy a real need in the field. *Administration of Criminal Law* should be of special interest to probation officers, parole personnel, and others whose training is generally lacking in the knowledge and use of the procedures and philosophy of law.

PAUL W. TAPPAN

Professor, Department of Sociology  
New York University

**Mid-Century Crime in Our Culture**, Austin L. Porterfield and Robert H. Talbert. Pp. 113. Fort Worth, Leo Potishman Foundation, 1954, \$2.25.

*Mid-Century Crime in Our Culture*, by Austin L. Porterfield and Robert H. Talbert (authors of *Youth in Trouble*, 1946, and *Crime, Suicide, and Social Well-Being in Your State and City*, 1948), consists mostly of excerpts and revisions of papers and articles that have already appeared in various symposia, sociological journals, and proceedings. Organized under "Theory," "Data," and "Action," it deals with the general theme of personality and crime in the cultural pattern of American states and cities.

Some readers will probably question the crude psychological definitions of crime that appear early in the volume. For example, it is claimed that "crime is in the nature of destructive aggressiveness. It exists in the tendency to strike right and left to attain one's own ends, regardless of what happens to others." This seems to be more appropriate for the definition of tantrums than criminal behavior.

But otherwise there is much that is worthwhile here. The authors' data tend to confirm the hypothesis that patterns of crime are cultural phenomena which vary with group, time, and place. Conflict situations leading to crime vary with the degree of social stratification in the community, and the greater the number of "lines of conflict" and aggressive cultural definitions, the greater the rate of crime. In this manner, one can explain why crime rates in Southern states and cities are higher than in most non-Southern areas. This will probably continue to be the case, the authors maintain, until such time as the two regions come to resemble each other in social structure and patterns of culture.

All will agree that considerably more can and should be done in what may well be called American regional criminology. One can only hope that Porterfield and Talbert will persist in this fruitful approach to the understanding of crime in American society, and that others will supplement

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MILTON L. BARRON

Sociology Department  
The City College, New York

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**Breaking Patterns of Defeat**, Richard L. Jenkins, M.D. Pp. 270. Philadelphia, J. B. Lippincott, 1954, \$6.75.

Rarely, in books designed to inform the intelligent layman of the objectives and methods of modern psychiatry, do we encounter such a sober, balanced, and lucid presentation of the subject as in Dr. Richard L. Jenkins' *Breaking Patterns of Defeat*. Drawing on an obviously rich and varied background of clinical experience, he enhances the development of his material with a succession of interesting case histories illustrating the origin and management of diverse patterns of maladjustment. He writes with a facility and clarity of style that make the reading of his book as enjoyable as it is enlightening.

He sets out with this astute definition of an adjusted personality: "The individual who lives by a successful pattern establishes a quantitative and qualitative balance between the needs of his inner self and the needs of society." Dr. Jenkins indicates briefly but clearly that an individual's pattern of living begins in childhood, in the first relations to parents and siblings. This is followed by chapters discussing and illustrating the major pressures and deprivations which tend to divert and distort the normal channels of personality growth—leading to the development of habitual patterns of maladjusted behavior—which he terms "patterns of defeat." He stresses judiciously the factors of parental rejection, repression of independence, parental oversolicitude and perfectionistic demands, emotional exploitation, sibling rivalry, and cultural standards. He clearly demonstrates how such factors lead to conflicts, with neurotic—and, on occasion, psychotic—reactions in susceptible personalities.

The worker in special fields of delinquency will find Dr. Jenkins' chapters

entitled "The Budding Gangster" and "The Budding Grifter" particularly rewarding. Here he clearly differentiates between the neurotic who compulsively performs criminal acts, and the pseudo-social (dyssocial) individual, as follows: "Many actions which society classifies as delinquent or criminal proceed from frustration reactions. Such behavior is relatively stereotyped and unreflective, is unadaptive and not goal-oriented. Other actions which society classifies as delinquent are motivated and adaptive. Such actions occur in the pseudo-social pattern of adjustment." Dr. Jenkins' summary of the genesis of the professional swindler pattern also merits full quotation:

In brief, the reliance on deceit as a major tool of life tends to arise as a result of early experiences which make deceit necessary, which give sanction to deceit, and which reward deceit. The result is a problem which is difficult to treat, for, as a rule, the person who has built his life on the successful practice of deceit does not want to learn to tell the truth; he only wants to be believed in his falsehoods. But since no one is so skillful as to avoid detection constantly in a chronic pattern of deceit, such a pattern ordinarily becomes a pattern of defeat.

In a chapter entitled the "Integration of Sex with Love and Life," the author surveys very effectively, within the limited scope of thirty-seven pages, the field of sexual maladjustments, illustrating such deviations as exhibitionism, voyeurism, homosexuality, and feminine frigidity, and demonstrating that diverse factors may be responsible for such deviations in different individuals. In discussing the factors contributing to the development of homosexuality, the author correctly cites "the prudish family background, the absence of sex instruction, and the severe sexual taboo" as frequently of great importance. "In each instance there was emotional closeness to the mother, and emotional distance from the father, who did not become in the child's eye a pattern to imitate."

Dr. Jenkins also succinctly describes the specific elements operative and general





Leontine Young shows great warmth and wisdom when she pleads for an understanding approach to the tragic position of the unwed mother and her baby. With considerable skill and clarity, she discusses the deprivations and the enormous loss in personality potential suffered by the unmarried mother and her child from blind and unreasoning prejudice and social condemnation. Ironical as it may seem, this hostility is directed at them by a society that lives in a house of glass.

This reviewer has had some contact with a number of unmarried mothers and believes that these unfortunate girls, if assumed sane, deeply desire love, acceptance, and understanding. Furthermore, the reviewer feels that Leontine Young believes the same thing.

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*Diary of a Self-Made Convict, Alfred Hassler.* Pp. 182. Chicago, Henry Regnery, 1954, \$3.

The author of this book is a writer; since 1942 he has been literature secretary of the Fellowship of Reconciliation, and is now editor of its magazine, *Fellowship*. He was sentenced to serve three years in federal prison for violation of the Selective Service Act. As a conscientious objector he had an opportunity to accept some other sort of assignment, but deliberately chose to serve a prison sentence.

*The Diary of a Self-Made Convict* is a short book which gives an account of Alfred Hassler's varied experiences at the United States Penitentiary at Lewisburg, Pennsylvania. The author makes an appraisal of several staff members and many of his fellow prisoners. As an inmate at Lewisburg, he often considered joining the strikes against prison authorities, particularly those protesting racial segregation. However, he never openly opposed authority and accepted his housing and work assignments without argument. He bided his time and cooperated with the author-

ities and was finally granted parole to a hospital in New York City.

Like many other prisoners, Mr. Hassler considered himself different from his fellow inmates; at the same time, he accepted the prisoners' viewpoint in respect to his keepers. From sentiments expressed about this aspect of his confinement, prison administrators can gain additional insight into the reactions of prisoners to their condition. The characteristic attitude of prisoners toward those who guard them seems to be resentment, because they believe that their keepers are not free of guilt. Alfred Hassler contends that prisons serve no purpose except to punish, and that it is inflicted by men unqualified for the job. For some of his keepers he has a few kind words and expresses appreciation of their good intentions.

The author reveals that he had influence over some employees of the penitentiary, which caused them to quit their jobs and seek other types of employment. When conversing intimately with some employees, he chided them for entering into work that made it necessary for them to oversee their fellow beings. Hassler believes that at least two parole clerks and the Protestant chaplain left prison work as a result of his conversations with them. He also feels that he "shamed" at least one correctional officer about the quality of his work. It is interesting to note that he used the term "hack" when referring to a correctional officer.

In a description of the daily round of prison life, he points out that prisoners, like other people, dislike violence despite the fact that they withhold judgment of fellow prisoners who have committed crimes of violence. In other words, prisoners are accepted as individuals for what they are rather than for their past misdeeds.

Hassler feels that the most humiliating aspect of prison life is the treatment of the prisoner as an inferior being. He dwells on the superior attitude of the guards and their belief that a prisoner has no right to status as an individual. He was particularly impressed by the fact that prisoners are not referred to as "Mister" and he makes the following statements:

Prison involves a whole sequence of petty humiliations: uniformity in clothing and cells, censorship of mail and reading matter of all kinds, locks and keys and passes and the whole impedimenta of inferiority. The irritation is constant and cumulative....

We can get along with the person whose authority rests on clearcut superiority in abilities or skills, even though he may do some open rejoicing in his high estate. But we can really work up a hate for the man whose authority somehow rests on the assumption of moral superiority and is a part of a whole conspiracy to humiliate and degrade us.

Prison administrators could do well to meditate upon these statements. Surely, no prison worker can be successful if he holds to such feelings of superiority.

The author had the warmest regard for an employee of the penitentiary who was occasionally willing to connive with the prisoners to violate some minor rules. He felt that his man was more sympathetic toward the lot of the prisoner than most of the employees and that he had a better understanding of the prisoner's viewpoint.

Another provocative comment, perhaps more easily supported than the one above, is expressed in the following excerpt:

In essence, what is lacking in the prison system, as it is lacking in our culture generally, is love. Not the *eros* type of love, but *agape*—the love that expresses itself in reverence for the personality even of the most depraved, that reacts to evil and cruelty with understanding and sympathy and sorrow, and that forgives *because* it understands and sympathizes and sorrows.

Alfred Hassler interested himself in helping a few prisoners he knew intimately by securing reductions in their sentences. After his discharge from prison he continued to help them. He discovered, however, how difficult it is to obtain employment for ex-prisoners.

The brave souls who have tried giving jobs to such men frequently have had more bad luck than good. So the men need jobs to get out, but no one will give them jobs. And after a while I stopped trying. I write them now, with as much compassion and

understanding as I can, but what I write them is "No!"

In his final chapter, the author concludes that prisons do not benefit the offender; they fail to protect society for they do no more than punish; and they should be replaced by a system capable of more regard for individual personality. He credits some penologists with good ideas and good intentions, but states that even the best prisons do not reform or rehabilitate. Totalitarian concepts, the instinct to punish, the prison keepers' lack of tolerance for those under their authority, and a system of rules that humiliate—all of these, says Alfred Hassler, degrade and infuriate the prisoners, and all of them contribute to the failure of prisons to serve their purpose.

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### Books Received

Bettelheim, Bruno: *Trautants from Life—the Rehabilitation of Emotionally Disturbed Children*. (Free Press)

Cavan, Ruth Shonle: *Criminology* (second edition). (Crowell)

Charnley, Jean: *The Art of Child Placement*. (University of Minnesota Press)

Cohen, Albert K.: *Delinquent Boys—the Culture of the Gang*. (Free Press)

Deutsch, Albert: *The Trouble with Cops*. (Crown)

Dudycha, George J.: *Psychology for Law Enforcement Officers*. (Charles C Thomas)

Freeman, Lucy: *"Before I Kill More..."* (Crown)

Friedlander, Walter A.: *Introduction to Social Welfare*. (Prentice-Hall)

Henry, George W., M.D.: *All the Sexes—a Study of Masculinity and Femininity*. (Rinehart)

Lindner, Robert: *The Fifty-Minute Hour—a Collection of True Psychoanalytic Tales*. (Rinehart)

Podolsky, Edward, M.D., ed.: *Management of Addictions*. (Philosophical Library)

Teeters, Negley K.: *The Cradle of the Penitentiary—the Walnut Street Jail at Philadelphia, 1773-1835*. (Pennsylvania Prison Society)

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